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**U.S. DEPARTMENT OF ENERGY FEED
MATERIALS PRODUCTION CENTER
COMMUNITY MEETING MARCH 19, 1991**

03/19/91

**SPANGLER/DOE-FMPC
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TRANSCRIPT**

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1 MS. KWIATKOWSKI: If everybody could
2 take their seats, we can get started.

3 I would like to introduce myself. My
4 name is Teresa Kwiatkowski, and I am with the
5 Department of Energy and I'm the Public Information
6 Officer at the FMPC. I would like to welcome
7 everyone to the meeting tonight. I've had the
8 pleasure of meeting many members of the community
9 tonight, and for those who I haven't met, I look
10 forward to working with you in the future.

11 I would like to take a moment to
12 define what a community meeting is. Sometimes we
13 can lose site of it, depending on the size, and I
14 think we have a nice group tonight. This meeting
15 is specifically designed for the community itself.
16 It's a wonderful opportunity for an exchange
17 between the Department of Energy and the
18 community. There's really no question that is too
19 simple or too complex, so please feel free to ask
20 anything. There's some people out here that have a
21 good command of the information at the FMPC, and
22 some people might not know what a K-65 silo is, so
23 please feel free to ask anything that you wish.
24 It's an opportunity for you to learn from us and

1 it's equally an opportunity for DOE to learn from
2 you. So I really appreciate it if you would just
3 join in and feel free.

4 At this point I would like to
5 introduce the gentlemen we have here. To my left
6 we have Jerry Westerbeck, the Site Manager, and to
7 my right we have Bobby Davis, Environmental Manager
8 at FMPC. And then to the right of Bobby we have
9 Jack Craig, who is DOE's Acting Branch Chief for
10 Environmental Restoration, and over to Jerry's left
11 we have Dennis Carr, and Dennis is Special
12 Assistant to Hugh Daugherty, WMCO Vice President,
13 and then on the end we have John Razor, who is
14 ASI/IT Deputy Director for the RI/FS.

15 If you look at the agenda, I
16 appreciate if we can follow this. First of all,
17 we'll start off with a statement from Jerry
18 Westerbeck on site topic and issues. After that
19 we'll move on with Bobby Davis' discussion, status
20 of cleanup at the site, and once those
21 presentations are through, we'll move on to a
22 public forum where we invite the US EPA and Ohio
23 EPA and FRESH to make comments. After their
24 comments, we'll continue on with a group question

1 and answer period, and during that time I would
2 appreciate if everybody would cooperate by walking
3 up to the microphones and posing your questions,
4 and if everyone can let that person finish their
5 remark before they jump in. I know you might be
6 anxious to follow-up, but if you could allow the
7 courtesy of people to follow-up with their
8 questions.

9 At this point I would like to hand it
10 over to Jerry to go on with what he would like to
11 say.

12 MR. WESTERBECK: Okay, the magic
13 switch in microphones. Thank you.

14 Here's the second issue of the
15 Cleanup Update, that's hard to say, you have to say
16 it slowly. Hopefully everyone who had signed up on
17 our mailing list got a copy in the mail. I want to
18 apologize, we wanted to get it out a little bit
19 earlier, but Murphy struck and we had a few things
20 go wrong and that's why it got out probably a week
21 and a half later than we had hoped. There are
22 sign-up lists back there at the registration table
23 if you're not on the mailing list. Be sure and
24 stop back there and add your name to the list.

1 We're going to keep trying to improve this, getting
2 more and more information, current information even
3 perhaps looking ahead information. You'll find
4 that each of the operable units is covered in
5 here. We discussed some of the incidents that we
6 had in the past, I guess February in the issue, and
7 Teresa managed to get an article in herself on the
8 back page, so please be sure to turn it over and
9 read that. You might even start with that.

10 We are interested in your comments on
11 the newsletter, or am I not allowed to call it a
12 newsletter, whatever it is. If you have some
13 questions about it, or comments on it, some things
14 you would like to see covered, please give Teresa a
15 call and we will see what we can do. There is an
16 insert inside the publication here that addresses
17 some of the questions that you have asked in the
18 past. When you do call Teresa with some questions
19 and there are questions that would have some
20 general interest, we will try to again have an
21 insert in there that has the more general type
22 questions with the answers.

23 I would like to switch over to the
24 sirens. I would like to thank FRESH and the Crosby

1 Township trustees for suggesting the idea of
2 modifying our siren system, the 11 sirens that we
3 have so that the sirens could be used to let people
4 know, warn people about severe weather. I think
5 Pete Kelly from the Public Information Office of
6 Westinghouse and Mark McClain from their Emergency
7 Planning Office deserve the most credit for putting
8 together a real fine program, if you will, or at
9 least getting this implemented from suggestion to
10 having the sirens operational without a hitch. I
11 would like to publicly thank you, Pete and Mark,
12 for that. They were activated on March 1st and
13 then the first test was held on Wednesday, along
14 with the other test that we have on Wednesday,
15 March 6th. Of course, the severe weather warning
16 is that steady tone.

17 Part of Pete's way of getting the
18 message out to everybody was he held a public
19 meeting where he discussed the system and responded
20 to questions. He met with the township trustees,
21 briefed them, went to the schools, talked to the
22 principals, we sent letters out to our neighbors,
23 included the brochure, a very professionally done
24 brochure to explain things. We sent the brochures

1 home with the children through the schools, and I
2 think the fact that we received no calls after the
3 test on the 6th proves that his information
4 campaign was successful in getting word out to
5 everybody.

6 If you -- just a little reminder, if
7 you want to call 738-6020, you can hear a recorded
8 recording that describes and actually does the
9 tones, makes the various tone sounds. If you
10 didn't receive or happened to throw out your
11 brochure or emergency, card with the emergency
12 numbers on it, we have those back at the table
13 too. Sue is holding up the brochure right now.

14 In earlier meetings we talk about the
15 Westinghouse School of Environmental Excellence.
16 They held one the end of last year, seven-week
17 course on environmental regulations, environmental
18 laws, some classroom exercises. I think even for
19 the first time holding it, it was considered a
20 success. We also talked about the fact that they
21 were going to hold a second seven-week session, and
22 that session is now scheduled to start on the 8th
23 of April. I'm really happy to announce that one of
24 you here is going to attend, it's just not going to

1 be Westinghouse or DOE this time. Marvin Clawson
2 has volunteered to attend, and he is going to be
3 sitting in the classroom. Please stand up, Marvin,
4 if you would. So congratulations. Oh, I think
5 it's May 28th, Marv, we're going to put you up here
6 and you can answer all the questions, okay. No, I
7 think that's great.

8 We are going to videotape some
9 sessions that we think would be of interest to the
10 public, and we will put those tapes then in the
11 Public Information Center so you can check them out
12 and look at them there or I guess check them out
13 and take them home, just like a videotape library.
14 Please rewind them though. We'll charge you a
15 dollar. That's a joke.

16 MS. CRAWFORD: And the proceeds go
17 to FRESH, right? Don't rewind those tapes.

18 MR. WESTERBECK: Good point.
19 They're also looking into the possibility of
20 holding some, not during this time period, but in
21 the near future holding blocks again of interest,
22 perhaps at night or on weekends again to
23 accommodate people who are interested in some of
24 the subjects being taught and can't attend

1 full-time during the week. I also learned that in
2 the early, early, early planning stages but still
3 to be held sometime this fall, we're looking at a
4 three-week course pretty much hands on, where you
5 actually can participate in and observe some actual
6 cleanup, cleanup using not actual materials but
7 perhaps drums with colored water in or popcorn --
8 that might be a distraction, you might want to eat
9 that. We'll get more out on that. We're going to
10 try and work it so that some of the neighbors and
11 others who are interested might be able to enroll
12 in that or at least if not in the first one in the
13 subsequent ones.

14 I'm going to give you a little bit of
15 comments on some changes in DOE, and then I'll talk
16 about some changes in the contractor DOE
17 relationships and responsibilities. If you recall,
18 back last October the 1st, the program management
19 responsibility for Fernald changed from defense
20 programs to Mr. Duffy's organization, environmental
21 restoration waste management, DP to EM. In fact, I
22 think that Mr. Duffy came out here and talked to
23 everyone the next day, the 2nd of October, held a
24 press conference. Just last Friday we, DOE,

1 Fernald started reporting directly to Washington,
2 to Mr. Duffy's organization.

3 Could you flip on the -- no briefing
4 is complete without a wiring diagram or an
5 organizational chart. This is sort of a
6 simplification of our reporting responsibilities
7 and relationships now. In other words, in the
8 environmental restoration and waste management
9 matters, which is now our total business, we report
10 up the chain to Mr. Duffy. Kim Hays, stand again,
11 Kim. She's our Washington, actually Germantown,
12 Maryland, but she's our headquarters person who
13 walks the halls, gets us the money, and keeps us
14 out of trouble up there. I think I mentioned that
15 the last time, they have formed a special branch
16 for Fernald within EM up there, and Kim heads that
17 office, and I think you have about or hope to have
18 about four people working for you, right?

19 MS. HAYS: We have four now, we're
20 growing rapidly.

21 MR. WESTERBECK: Okay. We stole
22 one, I think some of you may have seen Randi
23 Allen. She is going to be reporting from Kim's
24 office to the site and become an operable unit

1 manager, so that's almost a plus plus because she
2 knows what's required at headquarters and coming
3 down to work with us here, I think that will be a
4 real help to us and to them up there.

5 Then you can see they have divided
6 the country up into three areas. We fall into the
7 eastern area, and Jim Fiore, he also is a
8 Germantown and Pat Whitfield, I think some of you
9 have met Pat Whitfield, he is head of Environmental
10 Restoration, reports right to Leo Duffy. That's
11 from the program management standpoint.

12 Oak Ridge will continue to support us
13 in all the other kinds of activities, personnel,
14 security, accounting, safety and health, those
15 kinds of things. Continue to matrix legal support
16 for our office.

17 We've sort of reorganized, maybe it's
18 not reorganized, made a couple of changes in our
19 own office. It was not that long ago that we
20 formed two assistant managers. Rather than just
21 having a Deputy, we divided up into two assistant
22 managers, as you can see, Ray Hansen being the
23 assistant site manager for engineering and
24 construction and site support, the landlord type

1 activities, and then Bobby Davis is the assistant
2 site manager for environmental restoration and
3 environmental compliance. We have moved Andy Avel
4 from being in charge of the environmental
5 restoration branch to becoming full-time deputy to
6 Bobby Davis, deputy, so he's the Deputy Assistant
7 Site Manager there and working some of the special
8 topics, especially in the CERCLA area right now.
9 So we've got him focused on three key areas right
10 now in addition to serving as Bobby's deputy. So
11 all the operable unit managers, of course, fall
12 under this environmental restoration branch.

13 I mentioned that we hired Randi Allen
14 as another operable unit manager. We have hired
15 another operable unit manager not here yet. We
16 have selected an engineering and construction
17 branch chief. So we're trying to fill out the
18 organization with good qualified people, people
19 with experience in their area and so we can share
20 some of the workload.

21 Before I move on to some of the
22 changes in the contractor DOE relationships, I
23 wanted to remind everyone that on the 19th of
24 February is when Admiral Watkins sent to Congress

1 his 120-day notification that he intends to
2 permanently shut down Fernald and focus totally on
3 cleanup. With this notification, as required by
4 public law, he submitted also a training and job
5 placement services plan and a closure plan. So
6 we're now one month into the 120 days. It's a
7 formality required by public law. But again, I
8 think it definitely says the place is closed now.
9 You know that was the decision we were all waiting
10 for.

11 Okay, switching over to some other
12 changes we've made. On March 15th, we asked
13 Westinghouse to assume a new role, a modified role
14 of their current effort to become an integration
15 contractor so they could integrate all activities
16 at the site. As you know, before the ASI/IT team
17 was the prime contractor to DOE doing the RI/FS,
18 and Parsons was on contract with DOE to do the
19 remedial design of the restoration work. We will
20 be assigning those contracts to Westinghouse to
21 technically direct those contractors and
22 contractually administer.

23 If I remember right, I coughed at the
24 last meeting. Sorry about that.

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1 By assigning those contracts,
2 contractors to Westinghouse, that will facilitate
3 them in their role as the integrator of all
4 activities at the site and really give DOE just one
5 contractor to deal with.

6 With the shutdown decision, you know,
7 the Admiral making that notification to Congress
8 and Westinghouse being in its new role as the
9 integrator, Westinghouse is in the process of
10 organizing along two main thrusts, one being, of
11 course, the CERCLA, the Environmental Restoration
12 Program, and the other approach being shutdown. As
13 you know, the facility production was just, the
14 switches were flipped off on July -- I wasn't here,
15 I can't remember -- early July of '89, and the
16 facilities have remained in that condition since.
17 So there's a lot of work required associated with
18 shutdown, including shipping a lot of the finished
19 product that is still being stored on the site.

20 I think I should probably mention
21 something you've been reading in the newspaper,
22 something called the ERMC, or Environmental
23 Restoration Management Contractor. That is part of
24 Leo Duffy's proposed alternate business strategy,

14

1 where he foresees at each site an M&O contractor
2 and an ERMC, environmental restoration contract.
3 Of course, the M&O contractor running day-to-day
4 activities and the ERMC running the contracts
5 associated with restoration.

6 Fernald is going to be the first DOE
7 facility to implement that strategy, and when that
8 becomes implemented, the ERMC will become a prime
9 contractor to DOE and then the ERMC, or
10 Environmental Restoration Management Contractor,
11 will have as subcontractors the RI/FS contractor,
12 the remedial design contractor, and then when we
13 get contracts to accomplish the remedial actions.
14 Again, as you probably read in the paper and I
15 can't add anything to that, the request for
16 proposal will be coming out later this year for
17 that ERMC.

18 I suspect since we are not in
19 production, that we will not -- it seems that we
20 will not have both an ERMC and an M&O hearing. We
21 will just have a ERMC, and that ERMC contractor
22 would have landlord responsibilities, turning on
23 the lights and running the power plant and the
24 heating plant and the water plant and so forth,

1 landlord type activities which typically M&O would
2 be at an operating facility. That's about all I
3 can add or tell you on the ERMC situation.

4 Well, to wrap it up, just like to
5 reflect a little bit. Last month I thought we had
6 a successful visit when Leo Duffy and the
7 Congressman came out. Leo came in an evening
8 early, the night before, and met with Lisa Crawford
9 and some of the FRESH members. I thought that was
10 a good meeting, a good free exchange. It was
11 during that meeting that we really started openly
12 to talk about looking into a public water supply
13 and see what some of the plans were, what sort of
14 input, influence DOE, what sort of role DOE might
15 play in that, and I thought the tour and the
16 briefing with the Congressman went very well. I
17 might add, I tend to agree with his comment on the
18 fines, I think he said something like absurd and
19 absolutely stupid.

20 Just for your information, we will be
21 getting more out as we are just in the very early
22 stages, we're going to plan an exercise involving
23 the K-65's. We do various emergency planning
24 exercise throughout the year, so I don't know,

1 maybe sometime this summer. I don't want it to
2 mess up the sampling schedule. I don't want it to
3 mess up the bentonite being placed in the silos,
4 but we want it to be a realistic exercise, not just
5 a totally paperwork exercise. As I say, we'll get
6 more information out as we move along.

7 Activity data sheets, you probably
8 never heard of those, sometimes we wish we hadn't.
9 Those are the basic budgeting documents that we use
10 to -- really, it ends up in Kim's shop and then
11 they work them, support them, rewrite them, what
12 have you in Washington. Those are the documents
13 that are used to obtain our money to operate and to
14 clean up the facility. We will put copies of
15 those -- we have just prepared, we've just revised
16 the documents, the activity data sheets for FY-93
17 through 97, the next five-year plan, and we have to
18 further revise them, and when we get that
19 completed, we're going to put them in the Public
20 Information Center so you can actually go, look at
21 the kinds of projects that we envision during that
22 five-year period, realizing it's a plan. Sometime
23 next month, I don't know when, we'll have them
24 there.

1 I would like to close, just go back
2 to the public water issue. We are actively, more
3 actively pursuing this now. We've met with the
4 Hamilton County Department of Public Water, Public
5 Water Works, and they've suggested that we meet
6 with the City of Cincinnati because it seems
7 Cincinnati probably has the best source of water.
8 So we are set now to meet with Cincinnati next
9 week, Cincinnati Water Works.

10 Of course, you know the Crosby
11 Township trustees have surveyed the residents.
12 They have a good bit of information for all of us
13 to use. We understand Cincinnati has already --
14 Cincinnati or Hamilton County, I can't remember now
15 which -- has already looked into what the
16 requirements are for putting public water into, I
17 think they call it the Fernald, New Baltimore
18 area. So it's not like we're starting from ground
19 zero. A lot of fact finding, a lot of information
20 is already available. Of course, they have
21 information on the various, the capacity of their
22 systems, whether it's pipeline capacity or well
23 capacity or whatever. So it's going to be, you
24 know, a fact finding, an exchange of information,

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1 see if there is some sort of a mutually beneficial
2 deal that can be worked out between all the parties
3 involved. With all the things we have to do at the
4 site, I think I can fairly say that as far as we're
5 concerned, that working on the public water supply
6 is our top priority, it's our 1A of all the 1's, if
7 you will.

8 So with that, I think I'll stop
9 coughing in your ears and turn it back over to
10 Teresa.

11 MS. KWIATKOWSKI: Next we've got
12 Bobby Davis, our environmental manager, and he will
13 be discussing cleanup actions, the operable units,
14 removal actions, and other related activities.

15 MR. DAVIS: What I'm going to do is
16 take a few minutes and talk about some of the
17 activities that are going on as far as removal
18 actions, remedial investigation/feasibility study,
19 and some other issues before the public and in the
20 media since the last meeting. I'm not going to
21 spend a lot of time on details; I'm just going to
22 try to hit some status items that hopefully will
23 then generate some questions during the question
24 and answer period that we can get into more

19

1 detail.

2 With respect to the RI/FS, before I
3 go into each operable unit, I would like to make
4 some general comments. We have letters before EPA
5 right now which notify them for operable units 1,
6 2, 3, and 5, that's basically everything except the
7 silos, that we have identified that we have
8 additional characterization work required to
9 complete the remedial investigation. This is
10 additional work beyond that that we contemplated
11 having to do at the time we negotiated the consent
12 agreement last year.

13 With respect to Operable Unit 4,
14 there's also additional work required there. This
15 work, however, both the interior sampling of the
16 berm and a slight boring sampling, is work that was
17 anticipated; however, we were not able to complete
18 it at the time that we submitted the draft or about
19 the time we submitted the draft RI report to EPA
20 last year.

21 Where we are right now is we are
22 assessing the impacts on the schedule due to the
23 fact that we do have work to complete in the case
24 of OU-4 and additional work to plan or is already

1 underway but which has to be completed before we're
2 able to have all the information necessary which we
3 believe is necessary to have the cleanup remedial
4 investigation. We also have to assess the impact
5 of this delay from the standpoint of completion of
6 remedial investigation on the other milestones we
7 have for the other primary documents, proposed
8 plan, feasibility study, the draft RI.

9 Right now in terms of where we are,
10 we have a large effort underway within DOE's office
11 and the contractors going through a recess with
12 these schedules in order to prepare proposals to
13 present to EPA. That doesn't mean that work on the
14 RI/FS activities will stop. Rather the principal
15 focus now for the RI/FS activity is on the
16 characterization efforts, and we're pushing ahead
17 very gracefully with those both from the DOE
18 activities and also from the standpoint of
19 assessing if there's anything else that needs to be
20 included as part of these programs.

21 One other general issue that I think
22 Jerry alluded to has to do with the issue between
23 the Department and US EPA regarding stipulated
24 penalties as noted in the papers recently. We had

1 a meeting with EPA last week. I think it was a
2 very productive exchange of views, and I think
3 there's still efforts going on at the headquarters
4 level between EPA and DOE concerning these issues,
5 but they don't have a resolution of that now but
6 want to let you know sort of where that stands.

7 Moving into the operable units.

8 Operable unit 1, waste pits, clearwell, burn pit.
9 We do have some additional sampling required there,
10 it's sampling within the pits to get further
11 characterization information regarding materials in
12 the pits on some of the properties regarding leach
13 head and so forth within the pits.

14 With respect to removal actions, we
15 have I guess actually two removal actions I'll talk
16 about. One is the waste pit area runoff removal
17 actions, which is one of the removal actions
18 identified in the original Consent Agreement
19 listing of removal actions. We expect to begin
20 construction on that action in the next couple of
21 months. The completion date for that is June,
22 1992.

23 One of the things that we did
24 complete during January, and I think there's some

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1 photographs in the back regarding it, is the Pit 6
2 removal action. That action involved going into
3 Pit 6 and basically relocating material in the pit
4 that was above the water surface, relocating it
5 back under the water to reduce the opportunity for
6 the material to come ride out and have emissions or
7 dusting, if you will, due to this material. This
8 was identified as one of the principal sources of
9 emissions from the waste pit area and sources from
10 the silos actually.

11 There has been some issues around the
12 Pit 5 that are of some concern with regard to what
13 was going on with respect to the liner, with
14 respect to the dike in the berm around Pit 5. With
15 respect to the liners, the situation is there that
16 we have found that there are some separations in
17 the seams in the liner at some locations around the
18 pit. These are locations, the only ones we
19 observed -- We have not looked under the material
20 surface but these are visible above the surface.
21 We are looking at the liner, there have been
22 repairs done to it over the years. I don't know
23 all the details about that, but you can go out and
24 see where there has been some patch work done.

23

1 We're basically looking now to identify what more
2 actions we are going to take to perform some
3 repairs there and what efforts that need to be made
4 to try to determine if there are extra separations
5 in the liner below the surface of the waste
6 material in the pits.

7 With respect to the berm, the dike
8 around the Pit 5, the result of looking at the
9 observations of the pit dike from looking at the
10 fencing along there, we have noticed that some of
11 the fencing was leaning in or out, depending on
12 where you were on the dike. It raises the question
13 in our mind was there something structurally going
14 on with the berm in the, with the dike that might
15 require some corrective action.

16 We've asked Parsons, who is the
17 architect contractor, the design contractor for us,
18 to do a structural analysis not only of Pit 5 dike
19 but also the berm around Pit 3 and also the
20 clearwell. Their initial investigation, their
21 report indicated they found no evidence of anything
22 that would suggest it would be imminent failure of
23 the dikes; that is, they did not identify any
24 corrective action, emergency action which should be

1 taken. We expect to have a report from them in the
2 August time frame which will provide us information
3 on their assessment of the stability of these dikes
4 and along with recommendations for any corrective
5 actions that they may judge or that they would
6 recommend that we take prior to final remediation.

7 Moving on to Operable Unit 2, which
8 is called the other waste units, fly ash, lime
9 sludge ponds, solid waste landfill, we also have
10 additional sampling to do of the contents of the
11 units here, and that work is -- I don't know if
12 it's underway, it's soon to be getting underway.
13 We have no active removal actions going on in
14 Operable Unit 2.

15 We have identified one additional
16 item that we are going to have to conduct some
17 further assessment of, and that has to do with,
18 it's part of the old landfill but that also served
19 as the backstop for the firing range that the
20 security forces use. Therefore, we have gotten a
21 fair quality of lead projectiles up there. We're
22 assessing now that situation and trying to make a
23 determination what all we might have to do to
24 initiate removal action there and also there's

1 going to have to be some characterization efforts
2 taking place there. There's one other firing range
3 on-site that also will have to be looked at. I'm
4 not sure which operable unit we're looking at,
5 either 3 or 5, out in the southeast of the plant on
6 the plant site there's a skeet firing range, and
7 that also will have to be looked at from the
8 perspective of lead deposition from the use of
9 that.

10 Operable Unit 3, which is called the
11 production area and some parts is outside the
12 production area, including several different items
13 we talked about there. We had a dispute with US
14 EPA concerning the scope of this operable unit.
15 The dispute had arisen during the review of the
16 initial screening of alternatives document for this
17 operable unit. That dispute has been resolved. It
18 was resolved on March 1st. The basic agreement has
19 been reached, we call the scope. The fundamental
20 scope of this operable unit will be inside the
21 production area, including everything from the pads
22 to the stored waste materials to the thorium to the
23 processed materials, et cetera. All the facilities
24 and the materials inside will be addressed under

1 the RI/FS process.

2 Where we are with respect to that
3 effort is the resolution of the dispute is such
4 that there is going to be a significant additional
5 effort required to complete the RI for this
6 particular operable unit, and we have, led by Andy
7 Avel, right now a team of folks working on scoping
8 of the activities that are going to be required so
9 we can develop the appropriate schedules for our
10 conduct of the RI and FS activities for this
11 operable unit.

12 Removal actions, a couple that I'll
13 talk about, one is the perched ground water removal
14 action. As many of you may recall, there were
15 issues that arose several months ago concerning
16 organic contamination in perched groundwater. We
17 discontinued pumping the water at that time in
18 plant 6. The resolution of the issue is that we
19 are installing a treatment process to treat the
20 organics from the perched groundwater. It will be
21 a central location, I believe plant 8, for treating
22 any perched ground water that may be contaminated
23 with organics. We expect to resume the plant 6
24 perched water pumping on June 1st and the pumping

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1 for plants 2-3, 8, and 9 probably in the August/
2 September time frame.

3 Another action that is taking place
4 is the plant 1 pad renovation. We will be
5 upgrading the pad to basically provide a new
6 surface on top of the existing pad as well as
7 constructing, I believe it's an 80,000 square feet
8 covered storage area adjacent to the pad which will
9 also provide for some improved storage. The work
10 plan, the renovation work plan has to be submitted
11 to EPA for their review.

12 Switching to plant 1 silos, and
13 there's also -- Many of you probably had a chance
14 to look at some of the photographs and also the
15 videotape of the plant 1 silos. This is a group of
16 14 elevated silos south of plant 1 building which
17 were used for storage of waste materials,
18 principally uranium contaminated oxide materials in
19 the early years of operation of the facility.
20 These, according to the historical record, these
21 silos had been emptied.

22 As a result, you recall, from some of
23 the media articles earlier in the year, an
24 inspector found material on the ground level under

1 the silos and subsequent investigation found the
2 fact that there was material in some of the silos
3 that had due to rain water coming in through some
4 open penetrations on top there was material that
5 leaked from the silos onto the elevated structure
6 and got onto the pad 8.

7 We've got two kinds of actions going
8 on there. Additionally, we cleaned up all the
9 materials that was on the ground and on the
10 structures. Second, there was immediate action and
11 the near term action beyond that was to go in and
12 put reinstalled covers on top of the penetrations
13 on top of the silos and also to put some additional
14 protection underneath the valve structure and the
15 dome structure under the silos. We are about 80
16 percent complete on these near-term actions, and
17 that will confine the material to the silos and
18 prevent recurrence of the situation we had
19 earlier.

20 A longer term action underway,
21 Westinghouse has a team put together to look at
22 formulating a removal action which would be
23 designed to remove any remaining material, and
24 based on these limited observations during these

1 near-term actions, there are still some small
2 quantities of material in some of the silos,
3 involved cleaning out the silos and dismantling, I
4 believe they are looking at 8 of the 14. Eight of
5 them are constructed of an 8-inch clay tile or clay
6 brick and the remainder are constructed of concrete
7 as far as side walls are concerned. That activity
8 is being planned.

9 One of the things that is being
10 considered as part of the evaluation was a
11 structural evaluation that was recently completed
12 by Parsons looking at the structure stability of
13 these silos. We expect the direction we're going
14 is looking at a removal action to clean out any
15 disassembly of at least the eight silos that are
16 constructed of clay brick.

17 As part of that activity and I guess
18 one of the questions, how come we didn't know there
19 was material in it, I think that goes back to
20 saying it was reliance on the part of Westinghouse
21 and DOE on the historical record. We've asked
22 Westinghouse to go back and they are in the midst
23 of that evaluation now to talk to employees, to
24 brainstorm, to look at records, et cetera, et

1 cetera, to try to identify what other areas there
2 may be on the site where we're relying solely on
3 historical record and where we do not have
4 Westinghouse collected technical information
5 regarding the aspects of a particular facility. As
6 that progresses, as we get some results from that,
7 we'll be sharing that information with you, and if
8 there are other areas identified, we will go back
9 and do additional evaluations and we'll get that
10 underway.

11 A couple of other things I wanted to
12 mention associated with Operable Unit 3 or relevant
13 to Operable Unit 3, one is uranium discharges to
14 the river. That's something that has been a
15 continuing concern and one of the identified issues
16 that we're investigating, evaluating now
17 ourselves.

18 From an historical standpoint, back
19 in 1989 I guess we discharged about 800 kilograms
20 of uranium to the river through manhole 175 and the
21 effluent line to the river; in 1990, somewhere
22 around 780 kilograms I believe. During the month
23 of February, reviewing that data indicates that
24 during that month alone there has been

1 approximately a 200 kilogram discharge of uranium
2 to the river. That's on an annual rate about three
3 times the average rate at least for the previous
4 years. Right now we don't really understand what
5 the situation is there. Perhaps we've had a lot of
6 rainfall and if we're picking up additional
7 contamination on the site. There are other
8 options. One falls under the option of total
9 quantity of discharge, but we have not made a final
10 determination exactly what is going on. As soon as
11 we better understand that, we'll be sharing that
12 information with you.

13 One other thing, just a matter of
14 interest to reinforce I think the aggressive action
15 being taken on the part of Westinghouse to try to
16 take care of issues on the site, recently in one of
17 the inspections of the outdoor tanks found that
18 there was some seepage from some wetness around one
19 of the site glasses used to store some solvents
20 that have some thorium contamination associated
21 with it as well as some slight seepage from a
22 gasket, a valve. Corrective action is being taken
23 to assure that those seeps don't develop into large
24 leaks. I think part of the continuing efforts on

1 the part of Westinghouse being overpacking drums
2 that have potential to release materials, to making
3 sure we're paying very close attention to all the
4 materials to minimize the potential to release into
5 the environment from a variety of things we have
6 stored around on the site.

7 Moving on to Operable Unit 4, which
8 are silos, K-65 silos 3 and 4. The major focus of
9 efforts there right now is completion of plan
10 sampling. There will be a schedule for that. The
11 soil borings, which are designed to bore underneath
12 the silos, we expect to complete that activity by
13 May 24th. The berm sampling, which would take the
14 borings down around the silos, complete that on May
15 13th, and complete the residue sampling by June
16 11th of this year.

17 Something I did want to point out, we
18 will be beginning field activities, field
19 mobilization for the site boring should begin
20 tomorrow. What you will see is a continuing series
21 of activities supporting the various sampling of
22 boring activities and then moving from that end to
23 the removal action, be a continuing series of
24 activities out there beginning now and continuing

1 on through until the installation of the
2 bentonite.

3 We use this opportunity as well as
4 other phone calls to make sure that all the people
5 in the immediate vicinity are aware of what's going
6 on. I think because of the continuing nature of
7 the activities, we want to identify that will be
8 the case. If you have specific questions as we go
9 along as to what specific activities are going on a
10 given day, ask that you call Teresa, we can
11 certainly get you that information.

12 Related to silo content sampling,
13 there will be, weather permitting, there will be a
14 sampling activity in the silo, one of the silos
15 this weekend to get the third section of the first
16 complete core out of the one manway. Jack
17 indicated that is planned for this weekend. Once
18 that's done, then the silo's sampling, any content
19 sampling will be deferred then until the berm
20 sampling is completed.

21 As far as removal actions are
22 concerned, two active ones, one is the installation
23 of the bentonite clay to silos 1 and 2. We have a
24 commitment to complete that by December 1st of this

1 year. We are running slightly ahead of schedule
2 and continue to do whatever we can to expedite the
3 completion of that activity.

4 The second one involves a decant sump
5 tank or it's a water storage tank associated with
6 the silos. The removal action involves taking the
7 water out of the tank, and we expect to have that
8 completed by the end of April.

9 Moving on to the last operable unit,
10 Operable Unit 5, which is environmental media,
11 includes everything not in the others, groundwater,
12 soils, surface water, air, et cetera. There's
13 additional sampling activities that are underway,
14 and some which in fact I just received some drafts
15 from the work board today. The work that is
16 underway is called the Paddys Run Seep Study,
17 involves additional wells being installed and other
18 measurements being taken of Paddys Run Creek. The
19 principal study area is south of New Haven Road.
20 It involves making a further assessment of the
21 conditions there and trying to determine exactly
22 what's going on with that flow system and what
23 contamination are present, if any, down the Paddys
24 Run Creek.

1 Another effort that is, that will be
2 conducted and which was discussed with homeowners
3 in the affected area last night, that has to do
4 with evaluation of conditions down along State
5 Route 128 between what's called the old Paddys Run,
6 roughly the old Paddys Run Road intersection and
7 Crosby Road. As many of you are aware, there have
8 been two homeowner wells in that area which we
9 found slightly elevated above actually occurring
10 levels of uranium in the water there. And we've
11 asked, and they have, ASI has put together a
12 proposal for remedial investigation studies in that
13 area to try to determine exactly what's going on.

14 The removal action currently underway
15 actually has four parts in the South Plume area.
16 Part one involves provision of alternate water
17 supply to industrial users in the affected area.
18 We expect to install a test well in April for that
19 activity. Part two and part three involve the
20 pumping, discharge, and also the treatment of South
21 Plume water. The treatment includes parts of which
22 were worked out with EPA. The work plans for both
23 of these have been submitted to EPA actually on
24 March 11th. The fourth part is monitoring, and

1 that includes long-term monitoring of levels along
2 the river.

3 One set of folks, new faces you may
4 see in the area is the Corps of Engineers. They
5 are supporting us in obtaining the easements,
6 property rights for installation of the alternate
7 water supply system and also the pumping station,
8 well locations, and return line back to the site
9 for the other parts of the removal action. We have
10 basically contracted with them to perform that work
11 for us.

12 One question came up last night I
13 will address. One issue that came up last night is
14 whether or not we had the information that resulted
15 from the Ohio Department of Health studies from I
16 guess '86 time frame when they came in the area and
17 conducted sampling of homeowner wells. Quite a
18 large number of samples were taken.

19 MS. CRAWFORD: '85, Bobby.

20 MR. DAVIS: '85, okay. That
21 question was raised last night. It was clear, at
22 least from the Environmental Monitoring Report
23 standpoint, they are not familiar with the data.
24 The RI/FS folks had the information, had the summer

1 report from the ODH. What we had done since the
2 summer report -- It had well location by
3 coordinates and it did not have specific
4 addresses. We talked to the Ohio Department of
5 Health today regarding obtaining specific, the
6 addresses for their samples so that we will be able
7 to pull that information in to the work that's
8 going on both on the environmental monitoring
9 standpoint as well as size information for the
10 RI/FS folks.

11 One other thing which goes back to
12 the meeting with Leo Duffy had to do with a request
13 by FRESH for information concerning the radon and
14 specifically dealing with the inversion situation.
15 We reported to the public a while back regarding
16 some workers going through the area and upon
17 exiting the K-65 area found that they had
18 contamination on their clothes. As it turned out,
19 there was an inversion condition that existed which
20 results -- When that inversion condition exists, it
21 results in reduced dispersion of the material
22 that's coming out, radon coming out of the silos
23 and, therefore, increased concentrations of radon
24 in the immediate vicinity of the silos, and also

1 it -- obviously you get concentration gradients out
2 and during these situations the inversion
3 conditions have a propensity with even slight rises
4 in radon concentrations along Paddys Run Road at
5 the monitoring locations we have there.

6 We have two types of monitors out
7 there. We have a radon cup which is out there,
8 which looks at the average radon concentration over
9 a three-month period, and we have real time
10 monitors which record the data on an hour by hour
11 basis. We are putting together, and I don't have
12 it completed yet, I do want to have Jerry Gels and
13 my staff talk to you a little more about how this,
14 present the information in terms of how it would be
15 most useful to you.

16 In going back through the records and
17 looking at meteorological data, it appears there
18 are inversion conditions that occur -- Jerry,
19 correct me if I say something wrong -- I believe 30
20 to 40 percent of the time there's some level of
21 inversion. In a couple of days there will be an
22 inversion condition for, what, an hour or so
23 roughly typically?

24 MR. GELS: It will usually last four

1 to five hours.

2 MR. DAVIS: Four to five hours,
3 typically during the early morning hours. Those
4 are periods typically associated with very low wind
5 conditions so you don't get much dispersion and you
6 have increased concentrations that are detectable
7 not only by readings on monitors that are at the
8 silo but also by a number of our real time monitors
9 around the site. We'll be putting some additional
10 information together once we get the package done
11 and we'll also provide it and put it into the
12 Public Information Center so it's available for
13 anyone who wants to take a look at it.

14 I appreciate your indulgence while I
15 went through all these things. I believe that's
16 all the things I have to cover. I hope -- I didn't
17 cover a lot of details, but I hope this will lead
18 to questions in the question and answer period that
19 we can get into more detail in these areas if you
20 would like to. Thank you very much.

21 MS. KWIATKOWSKI: Thanks, Bobby. We
22 would like to move now on to our public forum, and
23 I would like to invite Catherine McCord from the US
24 EPA to give her comments.

1 MS. McCORD: Good evening. My name
2 is Catherine McCord. Most of the people in the
3 audience here know me. I'm with the United States
4 Environmental Protection Agency, Region 5 office in
5 Chicago. I've been involved with this project for
6 about four years to the month, and I am currently
7 the remedial project manager under the Superfund
8 program overseeing the progress of the cleanup
9 action at the Fernald site.

10 Jerry Westerbeck spoke earlier of
11 some of the restructuring management changes that
12 are going on at the site, and US EPA is hopeful
13 that some of these changes will help promote
14 additional progress in the cleanup of the site.
15 Hopefully with more energies directed at the
16 mission of cleaning up the site that we can in the
17 future proceed at a little quicker pace.

18 At the last December RI/FS meeting I
19 spoke of some recently issued notices of violation
20 that the United States Environmental Protection
21 Agency had issued against DOE for certain
22 violations of the 1990 CERCLA cleanup agreement.
23 At that time I spoke of these problem as being
24 symptomatic of some more maybe deeply rooted

1 problems with the progress of the project.

2 Those people who attended the 1990
3 Consent Agreement public meeting last May which US
4 EPA held where we explained what the intent was
5 behind revising the 1986 cleanup agreement
6 understand some of the provisions that were added
7 to this cleanup agreement in 1990, and that
8 included a provision in which EPA could assess
9 stipulated penalties against the Department of
10 Energy for violations of the Consent Agreement. I
11 recall several very pointed questions on what EPA
12 would do if DOE did not abide by the conditions and
13 requirements of the 1990 Consent Agreement, and my
14 response was that we would have to assess
15 stipulated penalties. Stipulated penalties or
16 penalties are the really only enforcement tool that
17 US EPA has that is available to us at the current
18 time for enforcement of such an agreement against
19 another federal agency.

20 As both myself and an attorney from
21 US EPA spoke of last May, that currently the
22 Department of Justice does not support US EPA
23 taking other federal agencies into federal court
24 when there are problems with consent agreements or

1 problems with violations under certain
2 environmental laws.

3 So essentially we've got an agreement
4 that drives the cleanup of the Fernald site which
5 is done by consent where the two agencies have
6 mutually agreed to the terms of this project, and
7 one of those terms was the stipulated penalty
8 provision. The term stipulated penalty means that
9 DOE has stipulated or has agreed to pay penalties
10 upon US EPA's finding of violations or
11 deficiencies. Of course, that entire process is
12 subject to a dispute resolution, which is the
13 second process which is outlined in the 1990
14 Consent Agreement.

15 Upon US EPA's assessment for
16 violations last year, one in November and two in
17 December, a dispute resolution process was
18 initiated in which we examined the facts of the
19 dispute. There are basically two aspects to the
20 dispute, one is EPA's finding of violation, was
21 there a problem, and the second aspect, did EPA
22 have the authority to assess stipulated penalties.

23 We basically -- to recap for people
24 who are not as familiar with this topic, there are

1 three violations which are at issue. One violation
2 was of a provision which required DOE to exercise
3 certain access authorities. Second was the
4 adequacy of the Remedial Investigation Report for
5 Operable Unit 4, the silos, and the third was on
6 the adequacy of another primary document called the
7 Initial Screening of Alternatives, which is the
8 first document in the remedial process, the first
9 report submitted to EPA for review and approval,
10 and this was for Operable Unit 3, the production
11 area.

12 Currently DOE and EPA have reached
13 agreement that EPA's findings regarding the status
14 of these violations essentially was correct in that
15 there's no continuing dispute on EPA's
16 determinations before we issue the notices of
17 violation and assess penalties. So what remains
18 was the aspect of the dispute that dealt with our
19 ability to assess penalties. Because DOE put forth
20 certain positions regarding or challenging EPA's
21 ability to assess penalties and these arguments
22 were similar in all three violations, EPA, DOE
23 decided to consolidate this dispute into one, that
24 we would argue all points at the same time and just

1 for efficiency's sake.

2 For you that are familiar with the
3 dispute resolution process in the Consent
4 Agreement, we have various steps of discussions and
5 various levels of dispute resolution starting at
6 the project manager's level, then going all the way
7 up to the regional administrator of US EPA level
8 along with Joe LaGrone and Oak Ridge operations.
9 Obviously that is going to change now that Joe
10 LaGrone no longer has the same responsibilities
11 that he did last week, but the dispute over EPA's
12 ability to assess penalties was not resolved at
13 this high level between the Department and EPA, and
14 at that point in time through the 1990 Consent
15 Agreement, EPA has the authority to issue a
16 decision on the dispute and this decision is issued
17 by the regional administrator of US EPA,
18 essentially my big boss in Chicago. That decision
19 was issued on February 15th, and the basic
20 conclusions of the decision was that EPA had the
21 authority to assess these penalties.

22 Within 21 days of this decision DOE
23 has the ability to request that the administrator
24 of US EPA, or essentially the big boss in

1 Washington, should review this decision if they
2 disagree with it. Because we had a meeting
3 scheduled in Chicago last Thursday, Bobby Davis
4 spoke at this meeting, which included
5 representatives from Pat Whitfield or of DOE's
6 Environmental Restoration and Waste Management
7 Program, which I guess the highest person there was
8 Pat Whitfield and Paul Grimm of DOE, and there were
9 representatives of DOE headquarters and the highest
10 levels of management out of my office in Chicago.
11 We discussed this dispute. Because again, after
12 this meeting, we granted, US EPA granted a 10-day
13 extension to the period of time in which DOE could
14 appeal the decision to the administrator.

15 I'm not going to be discussing the
16 specifics of some of the proposals that were
17 outlined to DOE from EPA last week. Some of the
18 facts of those discussions were distributed by DOE
19 to the press, and you probably have read some of
20 the articles in the paper, talked about some of the
21 things that are of EPA's concern. The underlying
22 concern in this whole process is that the project
23 is not on track and the mechanism for getting the
24 project back on track was to assess these

1 penalties. The principle underlying this or the
2 purpose was not to just transfer funds from one
3 federal agency to another, but rather got to look
4 back at the 1990 Consent Agreement and the
5 principles underlying that agreement and the
6 enforcement tools of that agreement that EPA has,
7 which again were stipulated penalties.

8 I recall a question that was asked of
9 me at the public meeting regarding the Consent
10 Agreement last May was why were the amounts of
11 dollars so low with respect to the kinds of
12 penalties that EPA assesses against private
13 parties, private companies, and my response was
14 that it would not be the dollar amount that would
15 be significant in the assessments of these
16 penalties but rather the action of assessing
17 penalties itself in getting the attention of the
18 right people within the Department of Energy. I
19 believe at this point we've gotten the right
20 people's attention, and by this Friday I anticipate
21 that some negotiation or some agreement will be
22 reached regarding the payment of these penalties
23 which could also be supplemented by other work done
24 at the site that is right now outside the

1 requirements of the CERCLA 1990 Consent Agreement.

2 Again, I'm not going to speak of
3 anymore of the specifics of these proposals because
4 we're in the middle of negotiations right now, and
5 it's bad negotiating practice to talk about the
6 terms of deals prior to the signature of
7 finalization of such deals. I assure you that US
8 EPA is very concerned about making sure that this
9 project's progress and that the public environment
10 and health is protected, and we will not undermine
11 our responsibilities to the community of Fernald.

12 So I expect right now that we'll have
13 some news by this Friday, and I'm sure that there
14 will be some newspaper articles this weekend about
15 what kind of decisions were made between the
16 Department of Energy and US EPA. Unfortunately, I
17 would rather be talking up here about the technical
18 aspects of the project, but I realize that this job
19 has a lot more policy involved in addition to the
20 technical aspects, and all this work is needed in
21 order to get the project back on track.

22 I'll take questions I guess during
23 the question and answer period if anyone wants to,
24 wants some more information about what I've just

1 spoken on. Thank you.

2 MS. KWIATKOWSKI: Thanks,
3 Catherine. Next we would like to have Tom
4 Schneider with the Ohio EPA to make his comments.

5 MR. SCHNEIDER: Good evening. As
6 Teresa stated previously, my name is Tom Schneider,
7 and I am a new face to you, but I'm representing
8 the Ohio EPA this evening. I work with Graham
9 Mitchell, who is the normal face you see associated
10 with the Fernald site, and I work with him as a
11 part of the oversight team for the FMPC
12 investigation and cleanup. Graham is out of town
13 on vacation this week, so he was not able to
14 attend. He's sucking up the sun in Florida.

15 At the last public meeting in
16 December we had just found out about some problems
17 with the remedial scheduling for Operable Unit 4,
18 and over the course of the three months since then
19 we found that all five of the operable units will
20 not meet the deadlines currently outlined in the US
21 EPA and DOE Consent Agreement.

22 DOE is currently making significant
23 management changes for themselves in the site
24 contractors, and hopefully these efforts will lead

1 to a management structure better oriented for
2 cleanup rather than production. So hopefully the
3 cleanup will be able to get better due to a better
4 management structure.

5 As Catherine stated, additional
6 negotiations are currently underway to resolve
7 schedule and other cleanup issues.

8 On a more positive note, the removal
9 actions I think are a highlight or positive side on
10 this and they are progressing fairly well. The
11 waste pit runoff removal action, the South Plume
12 removal action, the K-65 removal action appear to
13 be on schedule.

14 We are currently working to
15 coordinate the technical exchange between the DOE
16 South Plume investigations and those investigations
17 being conducted by the Paddys Run Road site
18 companies in order to exchange information on the
19 data that's being collected by both of these
20 parties and try to coordinate it, and the goal of
21 this cooperation is to minimize the impact of the
22 South Plume removal action on the groundwater
23 contamination plume associated with the Paddys Run
24 Road site, so we don't want to be affecting that

1 plume with the -- We want to minimize any potential
2 effects on that plume with the South Plume removal
3 action.

4 We have a few individuals here
5 tonight from the Ohio EPA to try to respond to your
6 questions or any questions you might have. One of
7 those is Donna Bohannon, and she is seated over
8 here and she is the site coordinator for the Paddys
9 Run Road site. And also with us is Mike Proffitt,
10 and he is from our division of groundwater. He
11 reviews most of the groundwater data from both the
12 Paddys Run Road site and the South Plume removal
13 action, so he has a good working knowledge of the
14 activities being conducted of both investigations.
15 And also with us is Mike Hayes and Phil Harris of
16 the RCRA group, and they provide oversight on the
17 RCRA activities on the site.

18 Like I said, we're here tonight to
19 answer your questions, so we'll attempt to do our
20 best to answer them for you. Thank you.

21 MS. KWIATKOWSKI: Thanks, Tom.

22 Next we would like to have Lisa
23 Crawford from the Fernald Residents For
24 Environmental Safety and Health.

1 MS. CRAWFORD: I'm not coming up
2 there, I'll stay right here.

3 MS. KWIATKOWSKI: Wherever you would
4 like.

5 MS. CRAWFORD: A couple of things
6 I'm going to talk about are probably going to be a
7 little bit of repetition of what you talked about,
8 Bobby, but there's some points I want to add to
9 what you said.

10 The first thing I want to talk about
11 a little bit about is the Cleanup Update, the
12 little newsletter that went out, and there's an
13 article in here about FRESH getting the TAG Grant,
14 and I want to make it real clear that FRESH has
15 given US EPA their intent to apply for a TAG Grant,
16 but it is not final yet and it has not been awarded
17 yet. I want to make sure everybody understands
18 that.

19 The second thing is with regard to
20 the Consent Agreement deadlines, I think FRESH was
21 really, really disappointed with the fact that the
22 Department of Energy didn't meet those deadlines,
23 and in the beginning we were very hopeful when you
24 guys signed that agreement with EPA that we would

1 begin to see things pick up and move along here.
2 It seems like those hopes have been dashed very
3 rapidly, and it is our sincere hope that you will
4 analyze and remedy this situation as soon as
5 possible. We see that as being very, very
6 important.

7 With regards to the fines, it's
8 FRESH's firm opinion that the US EPA should
9 definitely be allowed to levy these fines against
10 you guys. You signed this agreement, it was a good
11 faith agreement, you missed the deadlines, and it's
12 time to pay the piper here. If EPA cannot levy
13 those fines against you, it sends a very, very
14 strong, clear message to this community that EPA
15 has no power.

16 UNIDENTIFIED SPEAKER: Here, here.

17 MS. CRAWFORD: I would like to see
18 the fine money paid. I would also like to see it
19 turned around and used to benefit this site in some
20 way. I won't go as far as to say what our
21 Congressman Luken said, but I do think the money
22 needs to come back into Fernald somehow, whether
23 it's through US EPA putting it into their Fernald
24 budget or some of it actually coming back to the

1 site and having some things done with it there. I
2 think that US EPA needs to be very clear about
3 these deadlines with you guys. I think it needs to
4 be kept being reported in the media because I think
5 Congress needs to address this situation here.
6 It's very important.

7 We talked -- Bobby talked a little
8 bit about some more off-site wells which are found
9 to have elevated levels in them. It just seems
10 like more and more we're finding off-site wells
11 further and further away. We're almost two miles
12 down the road now, where we were only about a mile
13 not too long ago.

14 I've had several requests from
15 residents in the area that you not only test wells
16 for uranium but you throw it out there and you do a
17 little bit deeper testing besides the uranium, and
18 I am not going to get real specific with all this
19 stuff, but I've told my folks if they have a
20 problem with just being tested for uranium, they
21 need to call you and further explain what it is
22 that they want done.

23 I lost my train of thought.

24 We talked a little bit about this at

1 the meeting with the 128 residents last night.
2 There's a couple of people who showed up with
3 letters from the Ohio Department of Health that had
4 been tested for radium. This was news to all of
5 us. I would like to see that taken a step further,
6 those letters copied and given to you guys or you
7 guys talking to ODH or whatever, but we need to
8 find out what in the hell radium is doing in
9 people's drinking water out here. That was a new
10 one.

11 Bobby talked a little about the
12 releases that have happened during the month of
13 February. It was a very exciting month, believe
14 me, very exciting. Bobby, when you talk about the
15 incidents in the future, I think I would like as a
16 resident and maybe somebody who doesn't know all
17 this stuff, I would like for you to talk about
18 numbers and give me numbers and levels. The cold
19 metal oxide leak out at the silos was one and a
20 half tons. That's a lot of material. You know,
21 and I think you need to be more specific about
22 numbers and levels and stuff like that.

23 You talked a little bit about the
24 possible collapse of Pit 5, and I notice that there

1 is a little article in the Cleanup Update
2 explaining that. I would like to see some more
3 details in the Cleanup Update. I think it gives
4 you some good information, but I think it needs to
5 go a few steps further and get into a little more
6 of the detail.

7 The radon releases with the
8 barometric pressure charts. I'll talk with your
9 folks after the meeting. All I want is something
10 really simple, how many times in the last two years
11 has this happened. You can put it on a calendar.
12 I don't want a big fat thick report, all we're
13 looking for is something very simple that we can
14 look at and basically say this happened this many
15 times in 1989 and 1990 and this part of '91.

16 And then I think if I heard right you
17 were talking about the drums, the fact that some of
18 the drums had lost weight, right?

19 MR. DAVIS: I didn't really go over
20 that.

21 MS. CRAWFORD: You didn't go into
22 that, okay. Again, I think you need to tell
23 people, according to my figures we lost 453 pounds
24 out of drums, and I think it is important that you

1 give these folks in this room actual numbers and
2 don't use kg's anymore because we don't know what
3 that means. Use pounds.

4 With regard to the Leo Duffy meeting
5 that myself and nine other FRESH people met with
6 him on February 18th, I think you got into some of
7 the things we talked about and we agreed to that
8 night. One of the most significant things that we
9 were very pleased to walk out of that meeting was
10 the 24-hour notification process, and if anything
11 happens on that site, anything, I don't care if
12 it's very minor to very severe, we're to be
13 notified within 24 hours, and that has been working
14 very well. Again we went with the process of
15 Teresa being our main contact so we're not talking
16 to 50 different people. That's working very well.

17 Another thing was we talked about you
18 guys putting together an expert list for us of some
19 independent people outside of DOE's range that
20 maybe we could talk to and ask some expertise
21 questions of, and that's something we haven't
22 gotten yet.

23 We talked a little bit about
24 orientation for your workers, not only orienting

1 them to the site, but also to the community so we
2 don't sit in meetings and people say, "Gee, I've
3 only been here three months, I've only been here
4 six months," those kind of issues. I haven't heard
5 if that's progressed any, but I certainly would
6 like to know.

7 I think we discussed the public water
8 system pretty heavily this evening, and then the
9 barometric chart again, which we haven't received
10 yet.

11 Another incident that happened in
12 February that highly concerned all of us was the
13 incident with the forklift that was sold in 1982 to
14 Portman which in turn sold it to a company who
15 waited nine whole years to call and say, gee, maybe
16 you better come and check this out and see if it's
17 contaminated, and it was. Even though we've been
18 told it was very low levels, the fact is it cost
19 you guys \$3,500, and this piece of equipment had to
20 be taken and tested and thrown in the dump pile,
21 and it cost you \$3,500.

22 My position on this, and I have
23 polled every press member that I could get my hands
24 on since the last, since we found out about this

1 incident, is that there should be a very firm
2 policy and procedure that you guys don't sell
3 anything to anybody ever. Because with this site
4 going into a closed down phase, a lot of stuff is
5 probably going to be sold or gotten rid of or
6 thrown away or whatever, and I am just very, very
7 concerned that we're going to end up with these
8 kinds of situations over and over and over again.
9 It happened with the pickup truck, it happened with
10 the stuff that was sold at a public auction and was
11 found in a garage in Hamilton, and now it's
12 happened with this forklift.

13 I would highly encourage you to look
14 into a policy and procedure of not selling anything
15 to people. Ship it to Savannah River or ship it to
16 Hanford, whatever, I don't care. Trade your
17 equipment out from site to site, but for god's sake
18 don't sell it to anybody.

19 We talked a little bit about daily
20 operation griefs that come out on a daily basis
21 when we were with Leo. FRESH doesn't have a fax
22 machine. We're working on getting one, seems to be
23 a real important piece of equipment right now that
24 everybody wants to know if you have one. So since

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1 we don't have a fax machine and that's not
2 available right now, we were wondering if there's
3 any way they could be mailed at the end of each
4 week or a summarized summary of the week's work
5 sent to us at the end of each week. That would
6 kind of hold us until we can get a fax machine.

7 The next thing is I think we need to
8 be updated on the EIS's. I mean, there's an old
9 one and a new one and PEIS, and it is starting to
10 get a little bit confusing. I'll try to be real
11 specific, but I may even get confused before it's
12 all over with.

13 The first one is the renovation EIS,
14 we call it the old one because it's been a while.
15 We want to know if it's finished or not or if
16 you're going to finish it. The second one is the
17 cleanup EIS, and we call that the new one, and we
18 would like to know the status of that, and then the
19 PEIS, which is something we just commented on in
20 January, we would like to know the status of that
21 too.

22 That's going to lead me back to your
23 Update because in the back of here it says, on
24 page 10, "Transcripts of the Cincinnati area

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1 scoping meeting will be available in the reading
2 room in the Cincinnati Lane Library on 800 Vine
3 Street." It's not the Cincinnati Lane Library,
4 it's just the Cincinnati Library in downtown
5 Cincinnati. The Lane Library is in Hamilton,
6 Ohio. And it was my understanding that stuff like
7 this was going to be put in the Harrison branch
8 library because it was far more convenient for the
9 community.

10 Another issue is the -- We think it's
11 time now that you update your calendar for the
12 RI/FS process. At one time you gave us a calendar
13 and as it changed you would put it on another color
14 of piece of paper and give it to us at the next
15 meeting, and with all of the not meeting the
16 deadlines and the fines and the agreements and the
17 nonagreements with the US EPA and everybody else,
18 we're wondering if maybe it's a good idea to do a
19 new RI/FS calendar because you always tell us the
20 dates of the document releases and we just want to
21 make really sure that we don't miss any of those
22 deadlines for public comment and participation.

23 Last, we need -- I don't know how --
24 Vicki, you may have to help me with this one, the

1 cleanup updates, Vicki and I talked at length
2 yesterday about the possibility of at every RI/FS
3 meeting if there's a way you could give us like a
4 sheet with the progress for each operable unit and
5 in that -- you know, like a piece of paper for each
6 one of the operable units, and in that it would
7 tell us any new reports that are out, any changes
8 that have been made, and any studies that are going
9 on. And then at each RI/FS meeting this would be
10 dated, this would have tonight's date on the top of
11 it, and we could follow those from meeting to
12 meeting and maybe put them in some sort of notebook
13 that would keep us real up-to-date on what's going
14 on because it's starting to get real confusing with
15 taking our own notes about OU-4 and OU-5, and all
16 this kind of stuff. It would just make it a lot
17 easier for us to try to keep up with what's going
18 on.

19 I had a couple other statements, but
20 they were more or less talked about.

21 The last thing I want to comment on
22 is the wells along 128 again. I was at the little
23 public meeting that was held for the residents last
24 night, and I think that was all fine and well, but

1 I'm a firm believer that we don't need any more
2 meetings. I think there's far too many meetings
3 now, and I think the folks were clearly addressed
4 last night, I think they were talked to in a way
5 which was good, but I think that kind of
6 information can now come through the community and
7 public meetings. It scares me a little bit that we
8 get into personal -- what's the word I want to use,
9 it's like -- I can't think of the word, it's like
10 you're showing favoritism to some folks and not to
11 others, and that concerns me.

12 I think it's an open public forum
13 here and people know the media. If they don't
14 choose to talk to the media, that's their privilege
15 to do so, but this information is public
16 information now, and I don't see the need to have
17 any more meetings. We all run to three and four
18 meetings a week, and it is beginning to get a
19 little taxing sometimes, and I want these people
20 kept up-to-date, I want them to know what's going
21 on, but I also want them to participate in the open
22 public meetings as well, and I think that maybe
23 when you talked about their wells tonight, the fact
24 that there was a decision made if anyone's well.

1 read over 2.7, these folks would be provided with
2 bottled water. Again, I think it's real important
3 that everybody here know what's happening and
4 what's going on. Thank you.

5 MS. KWIATKOWSKI: Thanks very much,
6 Lisa.

7 MS. McCORD: Teresa, real kick, I
8 would like to clarify further something about this
9 TAG Grant. On page 9 of the Update is where
10 there's a discussion of US EPA grant which is under
11 the Superfund law to the community. Lisa is
12 correct that we have not made that, we have not
13 granted that money yet. There was a 30-day public
14 comment period that ended in early December after
15 the FRESH organization submitted a notice of intent
16 to apply for a grant.

17 And two more corrections; one, the
18 grant is not limited to 50,000. There's a
19 precedent that the EPA has given multiple grants to
20 communities where they've gotten a long-term
21 Superfund action and they will have long-term needs
22 for assistance in their involvement with the site.

23 Additionally, there's no limitation
24 to what they can really do with the grant with

1 respect to what's said here. It's the second
2 paragraph says FRESH must use the grant to hire a
3 technical consultant. That is one of the uses of
4 the money. They can also use it to just support
5 their organization as far as telephone bills,
6 renting space, there's a lot more to running an
7 organization like FRESH other than just hiring the
8 technical consultant. Thanks.

9 MS. KWIATKOWSKI: It's time for the
10 question and answer session. It's 9:00, and I
11 leave it to you, would you care for a five-minute
12 break before we continue? I guess we'll break for
13 five minutes.

14 (Brief recess.)

15 MS. KWIATKOWSKI: I hope that was a
16 long enough break for everyone. We'll go on with
17 our question and answer session. Some of you might
18 have specific questions and would know who you are
19 going to address it to directly. So feel free to
20 refer your questions to someone specifically on the
21 panel. If you don't have someone specifically in
22 mind, just give the question to the panel and I am
23 sure we can answer it. And also, as the people
24 from the US and Ohio EPA mentioned, don't forget

1 that they're here to answer your questions as
2 well. So I would like to begin. Someone can start
3 us off with the first question.

4 MS. NUNGESTER: I don't know if it's
5 a question or statement, but anyway, I would like
6 to say it. I'm more than just a little bit angry.
7 We might attribute it to the bad weekend I had this
8 past weekend. But as far as the water supply goes,
9 and really that was FRESH's idea, we came up with
10 the alternate water supply, and I think it is time
11 we get credit for that, and more specifically, Edra
12 Yocum and myself are the ones who have been pushing
13 for this, and I do not appreciate the fact that you
14 had a private meeting for the residents from 128
15 last night. Now, granted that they have found
16 contaminated wells on 128, but we need to know this
17 information too since we are the ones on the front
18 line that are doing most of the community
19 organizing and informing the public.

20 Something else I wanted to ask was on
21 the TAG Grant, I just wanted to cover that a little
22 bit more. First, it says that FRESH incorporated
23 because they wanted the TAG Grant. They
24 incorporated in an effort so that they could have a

1 tax-free status with the IRS, so that they could
2 solicit funds, so that they could get an office and
3 have somewhere to store all the documents that they
4 have accumulated all the years, and all the other
5 reasons. So the TAG Grant was a nice extra that we
6 wanted to try for.

7 Also on the radon from the
8 temperature inversion around the K-65's, I have a
9 question on that. How do you know this was no
10 danger to the outside residents? I mean your
11 measuring devices on the fence, they measure, I
12 believe Bobby Davis said, on an average. It's not
13 taken into account the children. And it takes far
14 less picocuries to contaminate the children that
15 are in the area and also you're taking your
16 readings after it was discovered, and we don't know
17 exactly just how much was emitted before it was
18 discovered. It was accidentally discovered by a
19 worker who went out to test for something else.

20 You answered my one question on the
21 perched water, you have it in the new pump that
22 will treat for the volatile organics at plant 8
23 because it is in a central location. That's good,
24 but we still haven't had an answer on just if we

1 had an approximate figure on how much of those
2 volatile organics actually went out into the
3 river. There were, I believe Mr. Davis told us
4 there was a hundred gallons a week from November
5 of '89 to March of 1990. Now, for the people in
6 the community in the area that don't know, these
7 volatile organics are the type of thing that will
8 permeate the skin if it gets into your water supply
9 and you take a hot shower and the same with your
10 clothing when you wash those.

11 That's pretty much all that I wanted
12 to say. Thank you.

13 MR. DAVIS: Let me respond to a
14 couple things there. One, the question about the
15 meeting with the homeowners last night, it
16 certainly wasn't designed to prevent communication
17 of information to the general public about what's
18 going on. I think what the intent was to try to,
19 wanted to focus the meeting on the study area that
20 we're beginning to do some additional work. The
21 meeting itself lasted about two hours last night,
22 and these meetings just don't provide for the
23 opportunity, typically don't provide for that type
24 of focus on a limited subject for that length of

1 time. So I think there's some tradeoffs in terms
2 of the large meetings in terms of the subject
3 matter to be discussed and what level of detail.
4 So there's no attempt to hide information. It was
5 trying to provide a focus type discussion, not
6 unlike some of the things that we've done on the
7 round tables and other issues.

8 Relative to the radon question, as I
9 indicated there are two types of systems out there,
10 there's a detection system that's there to look at
11 the long-term average concentration at the given
12 location, the radon cups, if you will, and those
13 are changed, I believe, on a quarterly basis. We
14 also have at several locations the real time
15 monitors, which we have information that's recorded
16 on I believe an hourly basis, there's a data point,
17 and so we have that information. I think those
18 particular monitors, the real time was installed
19 late or middle of last year, something like that.

20 MS. ENGLAND: Late last year.

21 MR. DAVIS: So we have a means of
22 determining what's going on based on an hourly
23 basis around the silos and various locations where
24 we have these monitors, so that's part of the

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1 information that we talked to Lisa about. We'll be
2 sure we get that information in the --

3 MS. CRAWFORD: Why do you keep using
4 the word averaged? That's a word that I don't like
5 and everybody knows I don't like that word. I
6 don't understand when you say average.

7 MR. DAVIS: The particular radon
8 cups are designed to look at the concentration --
9 The way the dose is calculated, it is calculated on
10 what is the average concentration over a given
11 period of time, and you calculate your dose from
12 that from the airborne considerations.

13 MS. CRAWFORD: Does that mean some
14 could be high, some could be low?

15 MR. DAVIS: Yes. There will be
16 higher or lower levels, but from a dose standpoint,
17 you could calculate hour by hour the dose on a
18 given hourly basis. Take all those numbers, the
19 result would be -- the end result would be the same
20 as if you take that average concentration, you can
21 do an hour by hour for the three-month period and
22 the numbers you get from the dose standpoint would
23 be the same as if you looked at the average for the
24 average value over that three-month period.

70

1 MS. CRAWFORD: So it's not taking
2 the high/low and putting them -- okay, that's what
3 I wanted to clarify.

4 MR. DAVIS: It integrates the
5 exposure over a period of time.

6 MS. CRAWFORD: Okay, thank you.

7 MS. YOCUM: I'm Edra Yocum. I have
8 a question on Operable Unit 1, the waste Pit 6 that
9 you said there was three-foot high mounds. How
10 long have those three-foot high mounds been outside
11 of the waste pit and exposed to the air?

12 MR. DAVIS: Dennis.

13 MR. CARR: I think it's in the
14 neighborhood of around 1985.

15 MS. YOCUM: They have been sitting
16 out there that long, and then you finally decide to
17 cover them up, put them under the water. Is that
18 also known as a removal action?

19 MR. CARR: That's correct.

20 MS. YOCUM: It also says with them
21 being out there, were those also monitored since
22 1985?

23 MR. CARR: It would be monitored as
24 far as our ongoing internal monitoring program,

1 given we have the boundary line stations
2 surrounding the site.

3 MS. YOCUM: Do you have readings on
4 that at a specified location?

5 MR. CARR: Yes, indeed. I'm not
6 sure of the closest location; maybe Jerry Gels may
7 be able to address the closest location, but it
8 would be reported in the annual Environmental
9 Monitoring Report.

10 MS. YOCUM: Which one, 1989?

11 MR. CARR: 1989 -- well, every year.

12 MS. YOCUM: Is that in the 1989
13 monitoring report now?

14 MR. CARR: Yes.

15 MS. YOCUM: Because it says
16 approximately 90 percent of the estimated airborne
17 radionuclides traveled through private property.
18 Since 1985, 90 percent of that was airborne?

19 MR. CARR: No, not since 1985. I
20 think Jerry Gels might be the best one to address
21 that.

22 MR. GELS: I'm sorry, I didn't get
23 the question.

24 MR. CARR: Maybe you could repeat

1 it.

2 MS. YOCUM: The three-foot mounds of
3 waste at waste Pit 6, they have been exposed to the
4 air since 1985. Now, I asked have they been
5 monitored all that time, and then it says that 90
6 percent of the estimated airborne radionuclides
7 have traveled to private property. Now, has that
8 been doing that since 1985?

9 MR. GELS: That's the part I didn't
10 understand, the 90 percent part. We have been
11 monitoring --

12 MS. YOCUM: Well, it's in the
13 Cleanup Update.

14 MS. DASTILLUNG: It says the
15 airborne radionuclides. You just covered the stuff
16 up, from now on you should have only a tenth.

17 MR. GELS: I think what we're
18 referring to there is a percentage of the overall
19 air emissions from the facility that in the year
20 1989 I believe it constituted 90 percent of the
21 emissions from the waste storage area.

22 MR. CARR: That's right. Previous
23 years we had increased emissions from production,
24 and it was not accounted for such a large

1 percentage of the overall emissions from the
2 facility. Just since the production operations
3 have been going down, obviously the emissions
4 related to production have been going down, but
5 that also then provides more focus on what remains
6 from fugitive emissions from materials that are
7 either in waste storage areas or on soils
8 themselves. Those are a continuing source, right,
9 Jerry?

10 MR. GELS: Yeah, I think basically
11 what Dennis says is right. We've been monitoring
12 for many years, our air monitoring stations around
13 the site. And those results are reported in the
14 EMR. In 1989, since we weren't in production, the
15 levels that we measured in the air at the air
16 monitoring stations were decreasing and they
17 decreased quite a bit, and the estimate of the air
18 emissions that contributed to what we saw at the
19 air monitoring stations, it was determined that 90
20 percent of that in our initial air dose estimate
21 was run on computer was due to fugitive emissions.

22 Now, we took that number and compared
23 what it would be with just the plant emissions at
24 the air monitoring station, what the concentrations

1 would be with just plain emissions that we
2 measured, and it compared very closely to what we
3 actually did measure, and from that we concluded
4 that fugitive emissions are probably a very
5 conservative number estimated on the high side and,
6 therefore, we didn't believe that they were
7 accurate, but, as we know, the RI/FS project
8 decided to make sure that that wasn't an issue
9 anymore and they pushed the residues down
10 underneath the water so there would be no further
11 fugitive emissions from that.

12 MS. YOCUM: But in this particular
13 area, whereabouts is this located, on the northeast
14 end?

15 MR. GELS: Waste Pit 6?

16 MS. YOCUM: Yeah.

17 MR. GELS: It's on the northwest
18 quadrant of the plant.

19 MS. YOCUM: I'm thinking if this is
20 emitting into the air and the wind is blowing in
21 that direction, I mean it would just add -- and you
22 are taking the whole consideration of the plant
23 into this 90 percent figure?

24 MR. GELS: I'm not sure what you

1 mean.

2 MR. CARR: I think I might be able
3 to answer. I think following the meeting we can
4 sit down, myself and Jerry sit down with you and go
5 through it if you like.

6 MR. GELS: I don't think we're quite
7 getting your question.

8 MS. McCORD: To clarify, there was
9 no monitor specific to that waste pit, rather
10 making calculations from more remote sample
11 locations. You asked was there sampling, and the
12 answer is not specific to that waste pit.

13 MS. YOCUM: Right, that's what I
14 wanted to know. Okay. One more question.

15 MS. CRAWFORD: Wait, wait. I want
16 to make a point of clarification right here. Are
17 you guys actually saying right here that stuff is
18 actually traveling off your property onto private
19 people's property? Am I reading that correctly?
20 Because up until today we have always been told
21 over and over again that nothing leaves the site,
22 nothing. So, you know, that paragraph changes
23 quite a few things, in my opinion anyway. I mean,
24 how do you know -- have you found it on people's

1 private property, have you done soil samples and
2 picked it up on their property?

3 MR. DAVIS: I don't think, Lisa,
4 I've ever said there's nothing that leaves the site
5 from an airborne perspective, I personally have not
6 said that. I mean, I've been responsible from the
7 Oak Ridge standpoint looking at the environmental
8 monitoring reports and other things. I know very
9 well in order to calculate the potential exposures
10 off-site, we go through an air monitoring program,
11 and that air monitoring program tells you about the
12 distribution of materials off-site. If the
13 material is off-site, you've got dust off-site.

14 MS. CRAWFORD: I'll go home and pull
15 out everything I can find.

16 MR. DAVIS: Any of the projections
17 that you see in any of the Environmental Monitoring
18 Reports where it talks about potential dose
19 off-site both to the nearest resident and to the
20 population, that's all based on dispersion
21 calculations and looking at the emissions from the
22 facility and what's carried off and what is
23 projected to be carried off the site through the
24 model, and we can --

1 MS. CRAWFORD: There's a lot of
2 people in this room that will back me up on that
3 statement I just made. Over and over again we've
4 been told that.

5 UNIDENTIFIED SPEAKER: Where is the
6 Environmental Monitoring Report for calendar
7 year '89 at? Let's find it, it's a simple
8 statement.

9 MR. DAVIS: I believe what the 1989
10 Environmental Monitoring Report says in terms of
11 emissions from the facility in terms of
12 calculations, that those calculations are
13 performed, that roughly 10 percent of those were
14 due to emissions from the facilities and 90 percent
15 were due to the fugitive emissions, i.e., things
16 that could be wind-borne due to exposed material,
17 for example at Pit 6.

18 UNIDENTIFIED SPEAKER: So, in other
19 words, some materials don't leave the site?

20 MS. NUNGESTER: He admitted that to
21 me two or three RI/FS's ago.

22 MR. DAVIS: Another thing I would
23 like to point out, in 1985, as Dennis said, as long
24 as that pit has been in operation, there's going to

1 be periods of time when there's been material
2 that's been exposed above the water. Personally,
3 I've been coming here off and on since 1977 out of
4 Oak Ridge. I know there have been times when I've
5 been out there I've seen material above the water.
6 There have been materials exposed, and I am sure
7 off and on during the whole lifetime of that pit
8 that have been above the water, and so not just
9 since 1985.

10 Now, the calculations from the
11 contribution of that to the emissions from the
12 site, I don't believe that there was anything
13 included in the environmental monitoring reports in
14 those calculations until just very recent years,
15 the last two or three years, something like that.

16 MS. YOCUM: Something like that,
17 what was the reasoning for leaving it piled up?

18 MR. DAVIS: I don't know.

19 MS. YOCUM: Another thing,
20 concerning the K-65 silos, talking about reducing
21 the radon emissions and stabilizing the silo
22 structure, how do you -- How are you going to
23 stabilize the structure? This is when two removal
24 actions that are underway now.

1 MR. CRAIG: Well, we have a removal
2 action underway or plan that's in the design phase
3 right now. One of them is to add bentonite to the
4 silos. That's being done to --

5 MS. YOCUM: That's not going to
6 stabilize the structure, is it?

7 MR. CRAIG: Well, one of the goals
8 of the removal action was to basically protect
9 against the silo domes collapsing. The addition of
10 the bentonite will basically cover the residues,
11 there will be a foot of bentonite in the silos
12 above the residues, so that if the silos domes do
13 collapse, there's a buffer zone between the
14 atmosphere and the residues.

15 MS. YOCUM: What about the walls,
16 I'm thinking structure-wise, considering the walls
17 also.

18 MR. CRAIG: Well, the K-65 silos
19 have a dome around them. That's a protection
20 against the walls collapsing.

21 MS. YOCUM: Okay, all right then.
22 What happens when the bottom falls out?

23 MR. CRAIG: There is no protection
24 for that, but there's no evidence that that's

1 happening right now either.

2 MS. YOCUM: One more. On the liner
3 that's split, I mean if it's torn above the ground,
4 there is something caused it to be torn above the
5 ground, so then that almost qualifies it to be torn
6 underneath also. Here it says it could not tear
7 underneath or it's impossible for it to tear
8 underneath. I just want you to think about that.

9 MR. CRAIG: I don't agree that it's
10 impossible to tear. That's a probability. One of
11 the things we're looking at right now is the
12 possibility of draining the water from Pit 5 to
13 check and see if there are tears beneath the water
14 line in Pit 5.

15 MS. YOCUM: What are you going to do
16 with this water at the time that you're draining
17 it?

18 MR. CRAIG: I don't know the answer
19 to that. We're still in the planning phase of what
20 we're going to do with the water. It will either
21 be tested and stored on-site -- It will be tested
22 before it goes anyway. I don't know how it will be
23 stored. We haven't gotten that far yet.

24 MS. YOCUM: Okay, thank you.

1 MS. DASTILLUNG: I have a couple of
2 things. The first one is that you were talking
3 about your emissions to the river had gone up
4 substantially and you didn't know why. What are
5 you doing to find out why?

6 MR. DAVIS: I think, Dave, I'll let
7 you answer that question. I don't know the
8 details.

9 MS. DASTILLUNG: When you stand up
10 and say we don't know why, that doesn't give us a
11 whole lot of confidence that you're going to figure
12 it out.

13 MR. DAVIS: It was about 2:00 this
14 afternoon so I haven't gotten the details or any
15 feedback from Westinghouse. I don't have anymore
16 details right now.

17 MS. CRAWFORD: Was that 200 pounds
18 just during the month of February of this year; did
19 I get that right?

20 MR. DAVIS: 440 pounds, 200
21 kilograms.

22 MS. CRAWFORD: And that's just for
23 February of this --

24 MR. DAVIS: Just for the month of

1 February, yes. That's at a rate that's three -- if
2 you average the previous years, that's at a rate
3 about three times as high as the monthly average
4 for the previous two years.

5 MS. DASTILLUNG: But you have no way
6 of stopping it; you just monitor it and a couple of
7 weeks after the month is up you discover, oops, all
8 this stuff went out in the river?

9 MR. DAVIS: I do not know what's
10 going on. In looking at the last years, we've had
11 variable months that went from probably -- I can't
12 convert to pounds quick enough, so I'll go back to
13 kg's -- about 100 kg's to 30 or 40 kg's a month. I
14 think a lot of it water flow in this particular
15 situation it's a lot higher than anything we've
16 seen, and right now I don't have any explanation
17 for it.

18 MS. DASTILLUNG: I would think you
19 would have noticed this earlier at the beginning of
20 February. How often do you take the samples?

21 MR. DAVIS: There's a daily sample
22 taken. I don't know how long it takes to get the
23 results back. Where I saw the data was in the
24 monthly report that's due to EPA tomorrow. Right

1 now I don't have any more information.

2 Dave, if you can add to that.

3 MR. BRETTSCHEIDER: I'm sorry, I
4 really don't. At this point I have to look into
5 it.

6 MS. DASTILLUNG: There's no way that
7 anybody can control how much you dump in the river,
8 is that correct, because there's no regulation and
9 the NPDES permit doesn't cover that, so the FMPC is
10 free to dump as much as they like into the river
11 and nobody can say anything about it basically; is
12 that right, Catherine?

13 MS. McCORD: I'm sorry?

14 MS. DASTILLUNG: I said there is no
15 rule that keeps them from dumping stuff in the
16 river?

17 MS. McCORD: There's nothing under
18 the Clean Water Act or any additional regulation
19 under state law that allows regulation. In fact,
20 there's actually an exclusion under the Atomic
21 Energy Act that does not allow any regulation.

22 MS. CRAWFORD: But wasn't it you
23 couldn't go over 800 or something?

24 MR. DAVIS: The law of concentration

1 is defined, which gets back to DOE orders which
2 mandate that we have to have certain levels of
3 treatment depending on the concentrations that are
4 discharged. I think from DOE's perspective, yes,
5 we care very much about how much is discharged into
6 the river. We do not have at this juncture
7 treatment capability.

8 Everybody knows for the water in the
9 stormwater retention basin, there are efforts
10 underway for water treatment and the wastewater
11 treatment to address these things. The process
12 systems, the water that goes through there is
13 treated to the best capabilities of those units
14 that are there. They clearly don't provide the
15 level of treatment that is required.

16 We'll look very carefully here to see
17 what's going on, but right now that's certainly
18 something that's different and I don't have an
19 explanation.

20 MS. DASTILLUNG: The other thing was
21 in your, inside the Cleanup Update there was an
22 extra piece of paper that answered community
23 questions, and there was under number 1, there was
24 something that really, really concerns me. It

1 talks about plans for a proposed "Fernald
2 integrated demonstration site," where apparently
3 you're thinking about bringing in technicians from
4 around the country that want to test out new
5 technologies at the FMPC using our facility and our
6 material and our personnel, and then they practice
7 here and then they can take the technology home. I
8 think that's an absurd idea when you can't handle
9 proven technology on a site and you have three
10 leaks in one month and all these other things going
11 on to even consider bringing in new technology and
12 using our area as a guinea pig for your testing.
13 Whoever thought that one up I hope puts it back in
14 their pocket and it never comes out again.

15 MR. DAVIS: The demonstration
16 program is what they are calling within the DOE
17 lingo the integrated demos. The intent of that is
18 to identify areas of need where technology needs to
19 be developed to support the cleanup activities.

20 A particular example, two examples
21 I'll give you in terms of things that are ongoing
22 at the site right now. One is in the area of soil
23 decontamination. We clearly have a lot of the
24 uranium contaminated soil on-site. A demonstration

1 that is involved with that is looking to bring
2 private sector experience and technology to bear to
3 look to see if there are ways that we can
4 decontaminate that soil and reduce the quantities
5 of materials that have to be disposed of.

6 It's part of the overall program, I
7 guess the cornerstones of Mr. Duffy's programs of
8 trying to bring to bear the best technology the
9 best minds both in the public and private sector
10 can bear in solving these kinds of problems, and
11 what we have going there is we have the integrated
12 demos involve people from the various DOE
13 facilities around the country that have similar
14 kinds of problems and interests in trying to look
15 to see if there is technology that can, that's
16 existing that's maybe being used for other things
17 that can be applied to this particular situation in
18 order to give us a more effective and cost
19 efficient way of handling the cleanup activities.

20 Another I think very good example is
21 in the robotics area where we will be testing
22 within the silos, it will be done I think in silo
23 4, which is the empty one, but it's called a
24 surface mapping unit so that we can go into the

1 silo when we put the bentonite in and be able
2 through a robotics technique assure that we have
3 achieved the one foot layer of bentonite over top
4 of all the residue, map it before the material is
5 applied and after to make sure we've met that
6 particular objective.

7 So the purpose of the demonstrations
8 is not to let private firms, for example, come in
9 and experiment on our site and go away and sell
10 their wares, but rather we try to develop
11 technology to help us solve our problems.
12 Certainly if things are developing in the private
13 sector and they are successful here, I would
14 certainly expect them to market it elsewhere, but
15 the key here is to identify things that are of
16 specific interest to us.

17 MS. DASTILLUNG: It sounds great
18 theoretically, ideally. So did the cleanup of
19 Fernald, but we've all seen how that's been side
20 tracked, and I just think we need to concentrate on
21 the actual cleanup before we start branching out
22 into research projects because I don't have any
23 confidence that you won't decide to build some kind
24 of incinerator or something and we will be sitting

1 here fighting you over a proposed incinerator for
2 getting rid of any reactive waste or anything else
3 you can think of where they have laws governing,
4 like uranium going into the river. This is
5 potentially a real problem area for us.

6 MS. CRAWFORD: It seems to me it
7 should be in a more controlled situation, a more
8 controlled area.

9 MS. KWIATKOWSKI: Next.

10 MS. SCHAEFER: I'm Evelyn Schaefer,
11 and I have lived here since 1945 on the border of
12 Crosby Township and Harrison Township, I'm just on
13 that borderline. So I was in on the beginning of
14 the building of this thing when my children were in
15 school. I'm not knowledgeable of all these things
16 these people are talking about and these big words,
17 but I have feelings, and when they sent the
18 questionnaire to me concerning this, it was a
19 questionnaire that I answered I am concerned
20 because of the water and the air, and I have one
21 question. Were there emissions at night time?
22 Were there?

23 MR. DAVIS: While the plant was
24 operating, there were certainly off-shift

1 activities. How they compare with today, nobody
2 knows. It's the same process as far as I know
3 through the activities.

4 MS. SCHAEFER: I think that's the
5 reason I stated that the air and the water were my
6 big concerns because some week nights I would wake
7 up and I could hardly breathe, and I thought
8 something has happened in the outside world. It
9 would be summer time when all the windows were
10 open, and that's what made me say air and then
11 water. I was told when we built our place that
12 there would be enough water if there was a flood, I
13 mean a drought, my area would have water ten years
14 because there was so much water there. So I have a
15 great concern that the water there was once a river
16 there, they told me, and that there would always be
17 water there even if there was a drought. So my
18 concern is what is happening to this water under my
19 ground if this stuff leaks and seeps?

20 So when around 1970 they wanted to
21 build Zimmer, they talked about closing this
22 thing. I wanted to close it, but they were
23 concerned about this. Now my question is: When
24 this cleanup is finished, will there still be a

1 nuclear dump, I'm going to call it a dump,
2 somewhere in this community?

3 MR. DAVIS: I can't answer that. I
4 do not know whether there will be a disposal site
5 located on the Fernald site. Decisions of that
6 nature are down the road, and I can't answer your
7 question.

8 MS. SCHAEFER: There is no cure.
9 See, when I was opposing this and I even went out
10 to petition with friends, I went down to the
11 meeting that they had in Cincinnati one night about
12 Zimmer, when they were talking all these things, a
13 physicist had given up, had retired, went back to
14 work so that she could get money to fight nuclear
15 power because she said there's no way that you can
16 ever take care of it, and yet we keep on doing
17 this. Why in the world do we do this? Answer me.

18 MS. CRAWFORD: Somebody needs to
19 explain to her that this is not a nuclear power
20 plant.

21 MS. SCHAEFER: I know that.

22 MS. CRAWFORD: Okay, I just wanted
23 to make sure you understood that.

24 MS. SCHAEFER: But it's all

1 connected, it's all the same thing, and even though
2 it isn't a nuclear power plant, it's still doing
3 the same damage, you've still got nuclear -- don't
4 you?

5 MR. DAVIS: We still have
6 radioactive materials, radioactive waste that are
7 going to have to be managed in some fashion.

8 MS. SCHAEFER: What do you do, do
9 you package it up? You can't contain it. It's
10 like the sun, it just keeps making more atoms. I
11 don't know.

12 MR. DAVIS: I think the materials
13 we've got are certainly materials that can be
14 isolated from the biosphere. How we do that, I
15 think that's part of what the remedial
16 investigation/feasibility study process is intended
17 to do, is to determine how we manage the waste
18 materials so we protect public health and we
19 protect the environment. Beyond that in terms of
20 answers in terms of what we're going to do, I don't
21 have answers.

22 MS. SCHAEFER: Isn't our situation
23 the same as Chernobyl over in Russia, isn't ours
24 the same kind of plant?

1 MR. DAVIS: No. The Chernobyl
2 facility was a nuclear power generating facility.

3 MS. SCHAEFER: That would have been
4 the Zimmer plant.

5 MR. DAVIS: Well, it would be
6 fundamentally the same concept. We deal with
7 radioactive materials. The types and quantities
8 they've got at a power plant versus what we've got
9 are considerably different but fundamentally they
10 are still radioactive materials. It's still
11 required to protect the public health and safety.

12 MS. SCHAEFER: Would you say that
13 our Government is destroying this world?

14 MS. CRAWFORD: Didn't Leo kind of
15 tell us though in 20 to 30 years we would have
16 green fields?

17 MR. DAVIS: Leo says the objective,
18 his comments have been, green fields, and I think
19 also the reality to in getting there is what has to
20 happen between now and then to make it happen in
21 terms of how you manage the waste. It has to go
22 somewhere.

23 MS. MERRITT: My name is Maggie
24 Merritt, and I am a little bit, feel a little bit

1 bad about having to stand up here and say what I'm
2 about to say, but the invisible fence mentality I
3 thought left with Jim Reafsnyder, and tonight we
4 hear the same thing. Jim Reafsnyder used to tell
5 us there's never any harm to the workers, the
6 environment, and tonight we're practically hearing
7 the same thing, and I thought we had a better
8 understanding with you people. I really felt like
9 we had gotten a better hold on things.

10 We're not really getting answers
11 tonight, and most of you people are supposed to be
12 experts. You're supposed to be experts. Hopefully
13 we can get an update on progress as it occurs
14 on-site. I'm sure it won't be as speedy as it was
15 before your open house last year, but hopefully we
16 can get a weekly update once in a while of what's
17 really transpiring and what's taking place over
18 there.

19 My question is in your Update you
20 talk about the fly ash pits. Are those open pits
21 or is that fly ash allowed to just blow right on
22 the community, be picked up by the wind and just
23 blow anywhere or are they covered?

24 MR. DAVIS: One fly ash pit is open,

1 it is not closed.

2 MS. MERRITT: So that's another
3 exposure for the community.

4 MR. DAVIS: To address your first
5 comment, if I conveyed that I've got a position or
6 a feeling that there's an invisible fence around
7 Fernald that says beyond this point nothing goes --

8 MS. MERRITT: That's what we've been
9 told.

10 MR. DAVIS: I want to make sure
11 everybody understands that's not my position. It's
12 not DOE's position at this point. I can't speak
13 for predecessors, be it federal law or contractors.

14 MS. CRAWFORD: Then let's not hear
15 ever again it wasn't harmful ever, it wasn't
16 harmful to workers or the residents or the
17 environment, nothing left the site. Those are the
18 kinds of comments that lead us all back to a belief
19 there's this invisible fence around this place and
20 nothing goes off the site, and this is the first
21 reference I've ever seen printed that says the
22 opposite of that. Am I wrong, guys?

23 MS. MERRITT: Thank you.

24 MR. RAZOR: A couple of things I

1 think we need to clarify. First of all, on the fly
2 ash pits, fly ash is just the residue of coal
3 burning. So the active is just the residue of coal
4 being burned. Evidence from the RI/FS would
5 suggest that uranium has been deposited in the fly
6 ash that was existing for some time ago. Uranium
7 does exist in coal, it's a natural product that
8 occurs in nature and it doesn't have to be added by
9 the plant to exist within coal. If you lived near
10 a coal power plant, such as Zimmer as it exists in
11 the current day, you would be exposed to the same
12 fly ash.

13 Also we need to understand the term
14 emission, the term fugitive emissions and fugitive
15 dust mean about the same thing. Also we say
16 there's a release of radon. Radon is a gas that is
17 going to move with air. So many times we talk
18 about radon emissions, radon releases. They
19 definitely leave the property, there's no question
20 about that. If you haven't picked that up from our
21 presentations on the RI/FS, I apologize.

22 If you have a copy of the FMPC
23 Environmental Monitoring Report from 1989, you
24 might like to take a look at page 42. I would just

1 like to read a little bit from here, it's under the
2 heading of Air Pathways. "As discussed in Chapter
3 1, the largest overall potential source of
4 radiation exposure to the public from the operation
5 of FMPC is via the air pathway." I think that's
6 just about as clear as you could state there is
7 exposure to the population.

8 MS. NUNGESTER: You're forgetting
9 one thing, not everyone has a copy of that and we
10 can't carry those every week.

11 MR. RAZOR: Please forgive me, I'm
12 not suggesting that. I was just pointing out this
13 information is available and has been available.

14 MS. NUNGESTER: If and when we get
15 our TAG Grant, we will get our expert to advise us
16 of those things.

17 MS. MERRITT: Could I say one more
18 thing, could this fly ash pit not be covered with
19 some sort of cap so that it doesn't blow
20 everywhere?

21 MR. RAZOR: Certainly. One of the
22 things that we're looking at in the remedial
23 investigation is to cover it with various type of
24 cap materials, yes. And if you would like to take

1 a look at a document that will give you some of the
2 ideas on that, you can find it down in the public
3 information room referred to as the Administrative
4 Record down on Route 128 and go in and ask for the
5 Operable Unit 2 Initial Screening of Alternative
6 Report. That should be available very shortly.

7 MR. MATHER: My name is Mark Mather,
8 and I haven't been to one of these meetings before,
9 I'm just a citizen of Hamilton County.

10 MS. NUNGESTER: Not just.

11 MR. MATHER: I'm also a contractor,
12 and I am trying to get an idea of what exactly the
13 problem is here because we've all been reading in
14 the paper for, what, four, five years there's been
15 something going on in Fernald, and Bob Davis has
16 been giving very lengthy answers on certain things
17 that I'm not attuned to, but one thing that is
18 quite clear is that the EPA is the governing force
19 within this nation to allow, to protect us, the
20 Environmental Protection Agency, which also goes
21 into the NIOSH, OSHA somewhat, and we're trying to
22 figure out here what exactly should be done. And
23 from my understanding here, the DOE owns this
24 plant, used to be operating by National Lead; is

1 that correct?

2 UNIDENTIFIED SPEAKER: The United
3 States Government first.

4 MR. MATHER: Okay, so Lead operated
5 it for DOE or owned it, whatever.

6 MR. CRAIG: Operated it.

7 MR. MATHER: And then Westinghouse
8 came in, got that contract three years ago, oops,
9 we've got a big problem.

10 MS. CRAWFORD: Six years ago.

11 MR. MATHER: Okay. So the problem
12 is being defined with the RI/FS, correct? However,
13 we're not getting the EPA to talk with the DOE to
14 say -- This is what I want to get defined. Though
15 you're awful wordy, Catherine, I think that's what
16 I got here in the \$10,000 fines here is you're not
17 listening to what they want to have happen, and
18 you're also hiring contractors, which I do for a
19 living. Usually we have a scope of work, and if we
20 do that, we get paid and if we don't, then we don't
21 get paid.

22 I'm trying to figure out what
23 Westinghouse is doing and what ASI is doing for
24 Westinghouse, why you hired them, why you can't

1 fire them or who's accountable for what, and the
2 big question here I guess is how do we get dispute
3 resolution, who's accountable for laying the scope
4 of work out, and then if that scope of work is
5 correct or incorrect, allowing EPA to say, yeah,
6 that's what we want to get accomplished here, and
7 then work from the top down instead of, well, we've
8 got all these problems and we've got all these
9 things going on. Maybe we can attack them, and I
10 think that's what everybody has been talking about
11 here. We've got air emissions, we've got water
12 emissions, what is the problem, which is what we're
13 trying to find out with the RI/FS.

14 But, heck, the EPA is saying you
15 don't even do a good enough RI/FS. So why are you
16 messing around with things without listening to
17 them? We want you to get your hands around the air
18 emissions, we want you to get a handle on the water
19 emissions -- I don't know what she wants you to do,
20 but I've just been sitting here for a couple, three
21 hours, and you've been doing it for six years, and
22 I am not pointing my finger at anybody, but
23 probably after six years of talking, I could figure
24 out that she wanted me to do something else.

1 Is someone in this room able to sit
2 down with her to try to figure out with her whether
3 that makes sense or not?

4 MR. WESTERBECK: My turn. I've been
5 quiet.

6 MR. MATHER: So you can sit down in
7 a room with Catherine?

8 MR. WESTERBECK: You want a yes/no
9 answer?

10 MR. MATHER: Yes.

11 MR. WESTERBECK: We sit down
12 regularly with her, almost on a weekly basis. On a
13 Consent Agreement we do sit down at least monthly.

14 MR. MATHER: What is wrong,
15 Catherine, then? I'm playing mediator here, is
16 that's okay with everybody, and please don't -- if
17 everybody jumps up and starts talking and it's not
18 me I get excited. What have you said to him that
19 he hasn't done?

20 UNIDENTIFIED SPEAKER: She can't
21 tell you because she's in mediation.

22 MS. McCORD: I can't talk about the
23 terms of the negotiations, but I can talk about
24 what the problems are, and the bottom line is that

1 the project has not been properly planned or
2 managed in order to meet the deadlines that DOE put
3 on the table and signed up to in 1990.

4 MR. MATHER: We figured that out,
5 but it's just a deadline thing then, so we can get
6 Gant charts out, is that basically just Gant
7 charts?

8 MS. McCORD: And doing planning and
9 getting the work done.

10 MR. MATHER: So you do have the
11 RI/FS, they are going after the study, and they are
12 defining the things that are problems here.

13 MR. WESTERBECK: Well, the RI/FS
14 process calls for us to prepare a work plan to
15 conduct the remedial investigation and then to
16 conduct the feasibility study based on the data
17 that's collected during the remedial investigation
18 statement. We prepare the plan, submit it to the
19 EPA, and negotiate basically what goes into the
20 work plan, and then they approve it and we charge
21 off fulfilling the work plan, our contractors.

22 MR. MATHER: So it's a time frame
23 problem then? I'm sorry, if this is real
24 secretive.

1 MS. McCORD: This isn't secretive at
2 all, and what has happened is really in the Public
3 Record. It's been discussed in these meetings
4 routinely.

5 MR. MATHER: If I can reiterate what
6 was said here, so DOE has a scope of work and a
7 time frame on that.

8 MS. McCORD: Right. The scope of
9 work really in some sense is just defined by the
10 law and the implementing regulations.

11 MR. MATHER: Let's not use scope of
12 work.

13 MS. McCORD: There is a scope of
14 work.

15 MR. MATHER: I used this before and
16 it is probably not that good of an analogy, but I
17 will say it and I will step away. You two are
18 married.

19 MS. McCORD: My husband didn't think
20 so.

21 MR. MATHER: If you two are married
22 and it's Jerry's turn to clean up the house, and he
23 hired a chauffeur, John, and a housemaid named
24 Dennis, and John is supposed to wash the car and

1 drive and pick up the vittles and he can ride
2 along, whatever. If he doesn't go shopping and he
3 doesn't clean up, then you're only allowed to nag,
4 you really can't crack the whip.

5 MS. McCORD: That's a good way to
6 put it because there are no -- in the sense that
7 the deadlines that we talk about -- that is sort of
8 part of the steps I guess.

9 MR. MATHER: So if you're still
10 hungry and he didn't get John to go pick up the
11 groceries, and is that John's fault or is that
12 Jerry's fault? And that's why we're all kind of
13 sitting down. We know the house is a mess because
14 the wife can't crack the whip, she can really only
15 nag, or is it because the husband doesn't really
16 know how to clean up the house anyway, and you have
17 to tell him what to wash, what to dry, how to clean
18 up the bathroom. Then is that the problem, you
19 can't really tell him what to do and, therefore,
20 John doesn't know -- he may know how to clean up
21 the bathroom, but he doesn't know how to really
22 clean the car -- do we need to switch those things
23 around, or is it nobody knows anything at all about
24 cleaning up this mess?

1 MR. WESTERBECK: Well, the important
2 part of the remedial investigation is to determine
3 the nature and the extent of the contamination, and
4 that's not a specific statement of work that you
5 can lay out, so that's why we have such a process
6 where you lay out a work plan, a scope of work, if
7 you will, that best estimates what we agree is
8 required to conduct the remedial investigation, and
9 as you get into it, as Bobby mentioned a couple
10 items we have added by mutual agreement to the
11 scope because we found a need for some more data,
12 and that's what the process is.

13 MS. McCORD: The scope doesn't
14 change; it's the work that has to be done in order
15 to fulfill the scope.

16 MR. MATHER: Instead of just
17 cleaning the bathroom, you have to change the
18 caulking also.

19 MS. CRAWFORD: You have to clean the
20 entire bathroom.

21 MS. McCORD: You have to make sure
22 the whole house is clean. First you walk in the
23 door and you go in this room and then you decide,
24 well, that spill went a little further, and you go

1 to the next room. So it's a big process, but what
2 you have to remember is who's charged with what
3 here.

4 MR. MATHER: Who's on first.

5 MR. WESTERBECK: Sort of like
6 cleaning the tile. When you clean the tile and all
7 of a sudden while you're cleaning it, the grouting
8 falls out. So now you have a bigger problem. Then
9 the tile falls out. Then you find the dry wall
10 behind the tub, and then you get in there and you
11 find out the termites have eaten the wood. The
12 next thing you know the bathroom falls through to
13 the first floor. You see how suddenly -- the scope
14 may not change, but I feel your contractors would
15 feel the scope has changed.

16 MS. McCORD: Unfortunately --

17 MR. WESTERBECK: Originally I agreed
18 in one hour to have the bathroom tile cleaned, and
19 here we are three years later and I am still trying
20 to get the bathtub out of the first floor.

21 MR. MATHER: So I don't want to let
22 this analogy carry too far, but really it's as
23 we're doing the RI/FS then, is that what the
24 situation is, the RI/FS is constantly getting

1 expanded?

2 MS. McCORD: No, it is not
3 expanding.

4 MR. MATHER: I don't think we really
5 got into the cleanup because we're still in the
6 RI/FS, correct?

7 MS. McCORD: We're still in the
8 investigation and evaluation of cleanup
9 alternatives.

10 MR. MATHER: That's what I'm asking
11 you, does the investigation have a time period when
12 it's over?

13 MS. McCORD: Yes, and that is the
14 problem. The primary problem is the investigation
15 stage, the estimation of time was very poor and/or
16 the project management to implement the remedial
17 investigation was not done in a fashion to meet the
18 commitments which are --

19 MR. MATHER: And who's accountable
20 for the management of the project?

21 MS. McCORD: DOE.

22 MR. MATHER: I gathered that.

23 MS. McCORD: That's the point I was
24 trying to make. DOE is mandated by federal law.

1 MR. MATHER: And how is DOE --
2 that's the whole thing basically. I made a little
3 metaphor there of cleaning up the house. We're not
4 trying to clean up, we're just trying to figure out
5 what we're going to clean up.

6 MR. WESTERBECK: That's right, the
7 nature and the extent of the contamination.

8 MR. MATHER: Have we counted the
9 bathrooms yet? Where do we stand in that and
10 that's kind of what I'm asking.

11 MS. McCORD: In some sense that
12 really hasn't been done.

13 MR. MATHER: Then the thing I ask is
14 why. The big thing is why, why? I mean, I pay a
15 lot of taxes. I'll sit down and try to go over
16 this thing with you sometime. I try to solve
17 problems. I can't really see why we have a problem
18 but that besides the point. I can't see why we
19 can't just sit down and figure out a schedule and
20 what the things are that need to be done and who's
21 going to do them. I know there's a whole lot of
22 tests that need to be done and there's a whole lot
23 of people out there working to do them, but I can't
24 see why EPA is so upset with DOE and DOE can't look

1 at themselves and see that they're not getting the
2 job done with the present contractors. They're not
3 setting time management, they're not setting
4 schedules and -- Can you recognize that, Bob?

5 MR. WESTERBECK: Yeah, I understand
6 what you're saying. I think looking back, of
7 course, it's easy to look back.

8 MR. MATHER: 20/20.

9 MR. WESTERBECK: I think deadlines
10 were set, they were unrealistically set, and I
11 really can't believe the EPA believes that they
12 could have been achieved. They have just as much
13 problem in trying to conduct RI/FS's and getting to
14 a Record of Decision around the whole country.
15 Their track record is very similar to our track
16 record here. It's just a very complicated,
17 involved process trying to work yourself to a
18 Record of Decision.

19 Now, we basically backed in a
20 schedule that was of documents submittals. I think
21 it's absurd that our schedules show a remedial
22 investigation being due one month and one month
23 later a feasibility study, when typically it would
24 take -- one month later a feasibility study is due.

1 MS. McCORD: What we must recognize
2 is the first schedules that were sent out were in
3 the work plans that were submitted in response to
4 the scope of work of the 1986 cleanup agreement.
5 The second round of schedules were the schedules
6 that were put on the table by DOE. All the interim
7 FS and RI schedules were put on the table by DOE in
8 the negotiations for the new 1990 cleanup
9 agreement.

10 In fact, EPA, while we looked at
11 those schedules very critically and looked for any
12 padding in them, at the same time recognized if we
13 forced certain schedules down DOE's throat and
14 their failure to meet those dates, that EPA would
15 be seen as the party at fault, but rather those
16 were DOE proposed schedules. While we didn't like
17 the time frames, we accepted them because we wanted
18 DOE to stand behind their own schedules. They were
19 the ones they proposed and EPA went along.

20 MR. WESTERBECK: I couldn't agree
21 more. We proposed them, we signed up to them, and
22 from day one they were impossible to meet.

23 MR. MATHER: But DOE is not doing
24 the RI/FS; is that correct?

1 MS. McCORD: They are doing it.

2 MR. WESTERBECK: We're responsible
3 for having it done, and we have a contractor hired
4 to do it.

5 MR. MATHER: And the contractor is
6 doing that?

7 MR. WESTERBECK: Yes.

8 MR. MATHER: And if the contractor
9 says go out and put 14 sump holes down and check
10 for whatever, whatever constituents that you're
11 looking for, and they put the holes down and they
12 grab the samples, then shouldn't they be removed
13 from the project because they're supposed to do
14 that by Tuesday? Jerry, if you hire me to come out
15 there and you say, "Be there on Thursday and start
16 drilling" and it takes me five days to drill and
17 grab the samples and get the samples back in two
18 weeks, and I don't do it, don't pay me, but if I do
19 it, pay me. If you ask John to do the same thing
20 and he doesn't do it, and this is the tenth time he
21 says I can't do it, then aren't you going to say --
22 I'm not trying to tell you how to do your business
23 but maybe somebody should -- "Hey, John, if you
24 don't get it done, I can't pay you."

1 If you do get done, that's okay, but
2 if you can't get it done because it's just
3 impossible, then you've got to tell the regulators
4 that that's not possible and it's not on schedule.
5 And I don't really see that many tacky things going
6 on out there only because the name of the company I
7 work for is Petro Environmental Technology, and we
8 do chemical things, and it really doesn't look that
9 difficult, and I hate to say it, but EPA is real
10 easy to work with and they do give answers and they
11 do help out the contractors, and they are the
12 people that we need to cater our business to and
13 maybe you can talk to somebody.

14 MR. RAZOR: I would like to respond
15 to a few of the things there so that there's a
16 clear understanding of our commitment to the
17 project. First of all, there are any number of
18 reasons that the schedules slip. Let's look at
19 some of the problems we've had before us.

20 Land owner access is one of the
21 problems that we've had. We want to put a well in
22 off-site, we have to look to a particular land
23 owner and ask for provisions of the well. If we're
24 unable to do that, that causes a slip in the

1 schedule. That was one notice of violation.

2 Another one revolved around the
3 sampling of the contents of the K-65 silos. The
4 requirements for doing that relies upon certain
5 equipment to protect the health and safety of the
6 employees doing it as well as the public and the
7 environment. It is called a radon treatment
8 system. We've discussed this at public meetings
9 before as being the reason for the delay in the
10 K-65 residue sampling. If this system fails, we
11 must take the time necessary to insure that it's
12 back and operating safely before we proceed on with
13 the process.

14 The final notice of violation, it
15 developed over to what extent does the Operable
16 Unit 3 scope cover the production area. Within our
17 work plan we had developed and submitted a scope of
18 work that included a certain area of investigation
19 by the RI, the site characterization of the
20 production area. At the time of submission of the
21 report there became a disagreement over the level
22 of involvement or characterization of the
23 facility. So this is more of a technical dispute
24 that is outside the control of what the RI/FS

1 contractor can control on that particular issue.

2 So the chauffeur is trying to drive
3 the car, but if someone runs into him with a radon
4 treatment system that doesn't work, one has to
5 stand back and assess the damage, repair it, and
6 move forward on schedule if possible.

7 MS. KWIATKOWSKI: Go ahead, ma'am.

8 UNIDENTIFIED SPEAKER: I have a
9 couple of questions for information for myself
10 mostly. When you say that the processes have been
11 shut down, does this mean simply that no new ore is
12 coming in from the mills or does it also include
13 the recycled uranium from say Washington State and
14 the uranium that is stored on-site?

15 MR. DAVIS: The process shutdown
16 means that we will not produce any more uranium
17 metal on the site. We are not bringing in
18 materials, feed materials, be it from Hanford or
19 anywhere else for production. We still have
20 product materials stored on-site. We also have
21 intermediate products; in fact, there's still
22 material in the process lines and some of the
23 furnaces from plant 5. For example, there's still
24 material there, the furnaces were just shut off

1 when the plant shut down in '89.

2 There will be certain types of
3 product process operations necessary to handle the
4 material to get it off-site, but we are not
5 producing any new or an enriched uranium metal
6 product to go anywhere. We will have to do some
7 chemical operations to convert some liquids to
8 solids and some other types of things will have to
9 be done.

10 If you want more detail, Ray in the
11 back who is responsible for all those types of
12 activities can provide us some more detail, but
13 basically what it means is no more mass production,
14 and that was the mission of the plant originally.

15 UNIDENTIFIED SPEAKER: Fernald has
16 been the only refinery in the United States, so my
17 question is, from whence is the ore now coming, the
18 uranium that supplies activities at the Portsmouth
19 gas diffusion plant plus the other two?

20 MR. DAVIS: As far as I know, we did
21 not provide feed materials for the diffusion
22 plants. We got uranium tetrafluoride from them, I
23 guess maybe we did send some EO_3 back to the
24 diffusion plants, but UF_6 for example, when we were

1 converting UF₆ to UF₄, the fluoride and
2 tetrafluoride we got from the diffusion plants, I
3 don't know that there was ever any product strain
4 per se that went to the diffusion plants.

5 MR. WESTERBECK: I was going to
6 refer to the front end of your question about where
7 would this material that we were producing come
8 from in the future if it's needed.

9 UNIDENTIFIED SPEAKER: No, no, I
10 wasn't thinking of the future activities. I'm
11 thinking as of right now with the process shutdown,
12 I just wanted to know is it completely shut down or
13 are you using on-site materials and recycled
14 materials to provide uranium hexafluoride or
15 tetrafluoride, whichever, to the gas diffusion
16 plants.

17 MR. WESTERBECK: Ray.

18 MR. HANSEN: We never did supply UF₆
19 to the diffusion plants. Some of the feedstocks we
20 had, as you said, were used as backup. When the
21 plant first began back in 1953, there were a period
22 of years, perhaps two or three years when we
23 actually were taking the ores, the raw ores and
24 converting that to a uranium metal product, but

1 that stopped and got into the recycle process.

2 All of the feedstock we had came in
3 from the diffusion plants, UF_6 , for instance, was
4 used to convert to an intermediate product, UF_4 ,
5 which eventually became metal, but we did no more
6 feedstocks. In fact, we sent all of our feedstocks
7 off-site. We did have UO_3 that was recycled from
8 Hanford. That's part of the material that we have
9 to get off-site and are planning to get off-site.

10 There's an intermediate product,
11 uranium tetrafluoride, which we refer to as green
12 salt. That will also have to be taken off-site,
13 and those are in our plans to be taken off-site
14 also. And then there are some final products which
15 we are packaging right now and plan to be shipped
16 to Savannah River. We did have a metal product
17 that was used as part of the tank armament program
18 for the US Army. We're getting rid of those
19 materials now too.

20 But in essence there is no more
21 production. The only operations that we have
22 involve some of the old processing operations.
23 Those will have to be cleaned up, and those are in
24 a program that we have planned called Safe

1 Shutdown. That means take all of those materials
2 out of the process, and process it to some stable
3 form and then ship it off-site. So there is no
4 more production.

5 MR. WESTERBECK: Ray, you might even
6 mention magnesium.

7 MR. HANSEN: Yes, we're not only
8 getting rid of all uranium products, but also the
9 production of all related materials. One of the
10 products we just got rid of or one of the
11 feedstocks was magnesium. That was used to convert
12 UF_4 to metal. We had some 300, 400 pounds of that
13 on-site. We just found a buyer for that and will
14 begin shipping that off in a month. So we're
15 trying to get rid of all the metal production
16 products.

17 UNIDENTIFIED SPEAKER: Then my
18 second question, where is the Portsmouth gas
19 diffusion plant, the gas diffusion plants getting
20 their material with which they're working?

21 MR. DAVIS: The uranium hexafluoride
22 that comes to their facility comes from a variety
23 of sources. They're both in a, they operate the
24 commercial sector, they do uranium enrichment for

1 commercial power plants as well as provide some of
2 our defense uses, but the UF₆ that would come to
3 them would come from a variety of commercial
4 sources provided either by the people that are, for
5 whom they're enriching the material or in cases
6 there might be some purchases that the Department
7 might make. I don't know if they're doing any of
8 that now or not.

9 UNIDENTIFIED SPEAKER: Within the
10 United States only?

11 MR. DAVIS: I'm not the proper one
12 to answer that. We can get you that information,
13 but that's a program I don't work in.

14 UNIDENTIFIED SPEAKER: Thank you.

15 MS. KWIATKOWSKI: Any other
16 questions?

17 MR. WESTERBECK: I'd like to make
18 one other comment. Going back to what Vicki
19 mentioned earlier about the technology
20 demonstration. If you remember when Leo Duffy was
21 here, he's a firm believer in let's not just pack
22 this stuff up, the old technology, pack it up and
23 store it someplace else. All you're doing is
24 creating a problem sometime later somewhere else or

1 even here if you pack it up.

2 One of these technology
3 demonstrations that we're going to do here, as I
4 mentioned, the soil washing and, as I also said, we
5 have a contaminated soil and I think we have some
6 pretty good data on the contamination levels at
7 various depths on the site, and depending on how we
8 handle that is something we will work out in the
9 RI/FS process with the EPA, but I think what we
10 would not like to do or we would have it as one of
11 our last resorts is to scoop up all the dirt down
12 to whatever depth it takes to get to whatever
13 concentration that we agree with and box it all up
14 and ship it someplace or store it someplace if
15 perhaps through some technology such as soil
16 washing where you can actually wash the dirt, wash
17 the uranium out of it and do something with the
18 uranium and leave the clean dirt here. That's
19 simple farmer talk, but I think that's the idea.

20 It's these various new technologies
21 that are in various stages of development or
22 thought process around the country, and that's what
23 not only DOE but the US as a whole is trying to do,
24 is to come up with better ways of dealing with the

1 various levels of contamination, whether it's
2 hazardous waste or whether it's low level or even
3 high level radioactive waste, just a better way to
4 dispose of the materials rather than just packing
5 it up and carting it around the country, because
6 carting it around is getting to be less and less
7 accepted because nobody wants anybody else's waste,
8 whether it's garbage or whether it's high level
9 radioactive waste. So it almost becomes a
10 localized problem, and that's why I think the
11 technology demonstration, looking for new
12 technologies is something that we really need to
13 participate in.

14 Actually, I'm real happy that they've
15 chosen Fernald for two and we're going to go out
16 and see how many more of these demonstration
17 projects we can get supported to be conducted here
18 at the site because that's tied in with part of the
19 education, training of workers, it's tied in.
20 That's why the state is very interested in it.
21 It's tied in with the development of businesses
22 within Ohio and, of course, Indiana and Kentucky
23 since we're real close to the other two states.

24 So, you see, it involves employment,

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1 it involves business development, all toward the
2 common goal of getting these contaminated sites,
3 whether it's a landfill near West Chester or
4 whether it's Fernald, getting them cleaned up and
5 getting them into a much safer configuration, and
6 at the same time trying to keep exposure to people
7 down as low as possible, keep the costs down as low
8 as possible.

9 I'm sorry I went on and on, but I
10 really think we need to push the technology idea.
11 Otherwise all we're going to do is scoop the stuff
12 up, and that would be the only alternative that we
13 can agree on because that's all we can do, and I
14 don't think that's really what we want to do.

15 MS. KWIATKOWSKI: Well, do we have
16 any more questions this evening? It looks like
17 we've finished all that.

18 I want to thank everyone for being
19 here tonight. If anyone still wants to come up
20 individually, I know it's a bit late, it's 10:30,
21 but some of us will still be around some of the
22 individuals exhibits if there are any questions
23 afterward. Thank you all very much.

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C E R T I F I C A T E

I, LOIS A. ROELL, RPR, the undersigned, a notary public-court reporter, do hereby certify that at the time and place stated herein, I recorded in stenotypy and thereafter had transcribed with computer-aided transcription the within (122), one hundred twenty-two pages, and that the foregoing transcript of proceedings is a complete and accurate report of my said stenotypy notes.

MY COMMISSION EXPIRES: LOIS A. ROELL, RPR
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